

Victor Riesel



Tuller Had Sex Arrest

Inside Labor

Washington--No one could really predict that Charles Tuller, who had a \$26,000-a-year "critical-sensitive" classified executive post in the Commerce Dept., would turn killer and kidnapper. But the record, which was ignored when he was hired in 1967 by Ramsey Clark's Dept. of Justice, did reveal that Tuller was a neurotic, erotic, erratic, self-avowed, free-spouting Maoist ranging the asphalt jungles of Newark and New York.

No one could predict that while on the Commerce Dept.'s payroll Tuller would try to rob a bank kill two men in this Leninist-type hold up and then murder one Eastern Airlines ramp employee and shoot another.

But the record, ignored by the then Attorney General Ramsey Clark and many of his aides reveals Tuller was arrested in New York for indecent exposure, ran with wild homosexuals, was an anti-white racist much to the anger of black and militant social workers, was anti-Semitic and given to weird orgies.

This record is in the full field investigation made in 1967 by the FBI at the request of Clark's aides--standard procedure for appointments for sensitive jobs.

Despite this "derogatory information"--as it is technically called--Tuller was hired on Oct. 2, 1967. Though he had been earning some \$6,000 in civilian work he got a \$13,000-a-year position as a Community Relations Specialist in the Office of Community Action, Community Relations Service of the Justice Dept.

There were those in Justice who knew of Tuller's weird and wild life, knew of his civilian life, knew of his Maoist and Che Guevara

sermonizing. Why was he hired? Who approved this? Whose signatures are on his Civil Service Commission forms? Why did Ramsey Clark ignore the record?

This leads to issues of past national and regional elections. Certainly Soviet Communists have not ceased infiltrating the government as did those of bygone eras. Certainly there are records in the FBI and CIA proving that Peking China has attempted to infiltrate American political industrial and governmental organizations. Therefore is Tuller merely one of thousands who seeped into sensitive positions? Or is he symptomatic?

This is so very characteristic of Communist techniques. Infiltrate a few, move in others. Move up, give up the others. Promote each other and plot against the government executives whose "desks" are needed for further infiltration.

Tuller fits the pattern. He used his FBI field report acceptance by the Justice Dept. officials circa 1967 to get job in the Equal Employment Opportunity Commission (EEOC) in 1970. He had resigned from Justice June 30 1969. Then into the roast spare rib business in Texas. Failure. Then to the EEOC.

There he served with the technical assistance unit. No one bothered updating his field check. Then to the Dept. of Commerce in January, 1972. Here, too, they just took his old unexamined derogatory FBI report as evidence of security. It was five years old, but no one thought of updating it. Or of examining it. If it was good enough for Commerce.

So Tuller, the open-mouth Maoist was hired at \$26,000 a year by the Office of Minority Business Enterprise as a section chief and program officer. His speciality was working with minority groups in economic development. He set up firms. Thus, he was responsible for considerable passage of government money. This, too, was "critical-sensitive." Some Commerce Dept. officials having learned that he was "dangerous," fought him, wanted him ousted. But someone protected the revolutionist, known in his many neighborhoods as a self-declared enemy of the system, the state, and a devotee of Castro's Cuba.

Who, then, covered for Tuller? Investigators of the House Internal Security Committee now are probing the Tuller case. This sort of probe has become unfashionable in Congress. The caveat is that any such probe is evil or witch-hunting. Certainly not if the rights of all are protected. Certainly not if there is the realization of the nature of foreign intelligence systems. Their agents don't just read James Bond.

They infiltrate. Some are amateurs such as Tuller who surfaced when he turned killer. But some are mighty professional. Some have been there for decades and are deep in the bureaucratic woodwork. If Tuller could make his way in, there is instant evidence of carelessness and a search may ferret out culpability.

There are thousands such sensitive jobs. There are tens of thousands of Soviet and Peking sympathizers around the land who have surfaced. How many have seeped into the government?

It will be intriguing to learn what the Internal Security Committee investigators discover.

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Who's medically fit for the

White House? A doctor says it's too important to be left to the doctors

STATINTL

By Michael J. Halberstam

WASHINGTON: The Constitution requires that the President of the United States be at least 35 years old, a resident of the country for 14 years and a "natural-born citizen." It says nothing about the state of his coronary arteries, his physical endurance and the slow, silent tides that wash his mind. A lot of people wish it did.

The recent abortive candidacy of Senator Thomas Eagleton has again focused attention on the issue of Presidential physical and mental fitness. This time the debate has centered on the fitness of a man nominated and not elected, but it takes no great historian to remember the crises precipitated by the illnesses in office of Wilson, Roosevelt and Eisenhower, and John Kennedy's constant burden of pain. Spurred by the tragedy in Dallas, Congress in 1966 passed the 25th Amendment, which for the first time provided a mechanism whereby an incapacitated President could be so declared and deposed while in office. But this, in a sense, is ex post facto legislation. The important thing, say some observers, is not to elect men or women who will be prone to disability once in office.

One articulate proponent of some kind of screening before nomination is James Reston of The Times, who wrote about the problem in his column last summer. Reston pointed out that physical and mental checkups are required before a man can be appointed to a high position in the C.I.A. or Atomic Energy Commission, but that no medical examination at all is required of the man who has ultimate responsibility for nuclear warfare—the President. Reston's suggestion was clear-cut: Men with the power of peace and war should be checked objectively before they are nominated and elected—and checked regularly thereafter. Furthermore, such checkups should be done "not by the officials' own doctors, but by medical boards representing the national interest."

Even before the Eagleton affair, two Washington specialists in health testing, internist William Ayers and engineer James Aller, had suggested that all candidates from the Presidential level through Congress and the state legislatures be required to complete a health questionnaire and undergo a battery of health tests (without psychologic testing). Ayers and Aller suggested that once such data was collected it could either be released voluntarily and reviewed by Congressional committees, as is now done with the financial records of some nominees to high office, or made public as the result of specific legislation.

These ideas have an instant appeal. As Reston wrote, "No professional football team could afford to tolerate" the

present system in which absolutely no medical data at all are required of candidates for high office. The old joke about the man in the Congressional race who had years ago served some time in a state mental institution and got elected on the basis that he was the only candidate who had a piece of paper proving his sanity rings a bit hollow when one considers the risks of instability in office. Indeed, it is true that many large corporations give their executives yearly physical examinations, and that the results are sometimes made available to higher-ups in the company, helping them to identify men with heart or drinking problems and to decide promotions.

Politicians and statesmen, no less than corporate executives, are frail vessels like the rest of us, and the history of incapacity in office is lugubrious reading indeed. Hugh L'Etang's fascinating book, "The Pathology of Leadership," is an account of the physical and mental illnesses of national leaders during the 20th century. It makes a valuable grace note to the standard histories of our time, for even as the usual texts focus on the complicated maneuvers of great statesmen and mighty nations, L'Etang reminds us that the statesmen involved were suffering from cancer, hardening of the arteries, depression and a host of other debilitating diseases.

Dr. Howard Bruenn, a young Navy physician who served as consulting cardiologist to Franklin Roosevelt between March, 1944, and April, 1945, has given a careful account of the President's final illness, hardening of the

arteries, which affected his heart and led to a stroke. From Dr. Bruenn's notes and clinical data (including electrocardiograms), it is clear that Roosevelt was a sick man during his final year. Perhaps not a dying man, as some have claimed; perhaps not a man whose mind was failing, as many have said; but certainly a man who better belonged on the sandy beaches of some retirement community than as chief of state of the world's most powerful nation.

Those who blame whatever concessions were made at Yalta on Roosevelt's illness rather than on the Realpolitik of the moment must keep in mind that neither Churchill nor Stalin were models of fitness in 1945. Churchill, who was 70 and suffering from an intestinal upset, had for a year been so fatigued or arteriosclerotic that he had difficulty concentrating on a single subject for any length of time. Stalin's medical history, of course, went with him to his grave (or to the graves of the physicians executed after the "doctors' plot" of 1953), but even in 1944 intimates noted that he lacked his usual vitality. There is little reason to doubt that Stalin suffered from suspicion bordering on paranoia most of his life. In statesmen, of course, particularly those at the head of totalitarian states, a little paranoia is a protective trait.

While Yalta might have better been held at an old men's home or the Mayo Clinic, is there any reason to believe that younger or healthier men would have made a better peace? L'Etang writes: "The examination of state papers, should ideally be accompanied

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Spies in sky keep two big powers in balance

By DONALD R. MORRIS
Post News Analyst

All that has kept the world from self-destructing this last quarter of a century has been the precarious nuclear balance between the United States and the Soviet Union.

For a few short years America had an overwhelming preponderance of power. We were certain we would never resort to it, but our mere possession of such nightmarish power drove the Russians to distraction. Then they in their turn achieved an edge—and regained a measure of stability—and it was our turn to taste the fear in the phrase "missile gap."

A decade ago the balance was regained and has since been maintained. The number of missiles, their megatonnage and their guidance systems are largely irrelevant; what counts is that neither power can launch a preemptive strike with any hope of survival, and on this balance hangs the peace of the world.

Tiger by the tail

The balance, however, is far from static. Both powers hold a fearsome tiger by the tail. Research and development must continue lest one side or the other achieve a breakthrough in delivery or defense, which might destroy the balance. The expense of such a breakthrough—indeed the expense of maintaining the current balance—is so hideous that both powers would like to avoid it. They are committed to a continuing arms race not by the need to achieve a breakthrough but only by the imperative of not permitting the other to do so.

Both sides recognize the need for a mutual effort to scale down their arsenals. In the past, negotiations over disarmament foundered on a single element—trust. The issues at stake were so overriding that neither the U.S. nor the Soviet Union could afford to accept the other's word that an agreement would be adhered to.

The recent SALT talks, however, have achieved initial and encouraging successes, and the key to the progress can be found in an innocuous euphemism the treaties employ: "National technical means of verification". The phrase refers to a program which supplies an acceptable substitute for the missing ingredient of trust, and on that program rests all hope of reversing the arms race.

The "national technical means of verification" are the photo reconnaissance satellites employed by both America and the Soviet Union. The U.S. satellites are

referred to as SAMOS (for "satellite and missile-observation system"); the Soviet satellites are referred to as COSMOS, and while neither country will discuss their details, they do, as the re-

sult of a 1962 agreement, report each launch and its orbital characteristic to the UN.

The programs give both countries a positive check on the nuclear activities of the other. Neither nation can test or deploy a major new weapons system without timely—and highly detailed—warning accruing to the other.

The United States launches four or five "search-and-find" SAMOS missiles annually from Vandenberg Air Force Base in California. They remain in orbit about a month, covering the entire surface of the globe twice a day, once at night (when infra-red photography, sensitive to heat emissions, gives almost as much information as daytime passes) and once during the day.

The photographic results are radioed back, and despite the loss in resolution, construction work of any description is at once apparent when photos taken a few days apart are superimposed.

Each search-and-find satellite is followed a month or two later by a "close-look" satellite, which photographs the specific areas of interest its predecessor has spotted. These photographs are not transmitted electronically. Instead the satellite ejects the film capsule itself, which is recovered in mid-air by specially equipped planes based in Hawaii.

What photos show

The pictures are analyzed at the National Photographic Interpretation Center (known as "En-pick" to the intelligence community), a little-known joint project located in Washington under the aegis of the Central Intelligence Agency.

The sophisticated interpretation of these photographs provides the vast bulk of what America knows about the Soviet Union, the Eastern bloc countries and the People's Republic of China.

The photos reveal not only major construction — from transportation nets through shipyard activity to all manner of missile facilities — but an astonishing wealth of technical detail as well.

While the U.S. will not talk about the SAMOS program any more than the Soviet Union will discuss the details of COSMOS, the general details of both programs are more or less open secrets.

America's most closely guarded secret, however, is the sophisticated photographic systems employed by SAMOS. (N.P.I.C., in fact, maintains its own security classification system, and a

organization won't get you past the front door.)

The first generation of satellite cameras a decade ago were lucky to pick up objects six feet across. The third generation in current use will pick up objects less than two feet across, and the resolu-

tion may some day be measured in inches. In terms of analysis, this means that not only can new missile sites, or changes in old ones, be recorded, but the precise technical construction of the missile can be reconstructed in fair detail as well.

The Soviets launch perhaps four times as many satellites as America does, partially because theirs do not last as long, and also because the Soviets are given to "tactical" missions — sending a satellite for a special "look-see" when something of interest is going on.

The U.S. prefers to wait for its regularly scheduled shots, and has sent only one tactical satellite aloft — to check Israeli claims that the Soviets were violating the truce by installing missile sites on the banks of the Suez Canal. Soviet photography is good enough to allay their fears that the U.S. is installing new weapons systems, although the resolution of their cameras is not nearly as good as ours.

High-altitude coverage of the Soviet Union started in the early 1950s when balloon-mounted cameras were launched in Europe to drift across Eurasia before being recovered in the Pacific.

From such crude beginnings we advanced to the U-2 aircraft, which worked like a charm until the Soviets finally developed a missile that could bring it down — with disastrous results for American diplomacy. President Eisenhower had approved the U-2 program only after Premier Nikita Khrushchev had rejected his suggestion of "open skies" inspections. The gap between the U-2 flights and the inception of the SAMOS program was fortunately a short one.

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Now It Can Be Told Declassifying Secrets, An Enormous Project, Turns Up Little So Far

Design for Wartime Slingshot
And Report on Taxi Service
In Malaya in '43 Now Public
Some Scholars Ask for More

By ELLIOT CARLSON

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON — John Simmons has a secret.

In fact, he has 4,000 cubic feet of them. Sheltered in a windowless cranny deep inside the National Archives, secure behind a steel door with a combination lock, Mr. Simmons presides over great mounds of government secrets, military and otherwise. Near at hand are certain unpublished Warren Commission papers on President Kennedy's assassination and thousands of other highly classified documents.

For years, Mr. Simmons, a professional archivist, has worked in peace, indexing the material. But now the world is threatening to disturb his quiet and take away huge chunks of his secrets.

"It's got to be done," concedes the graying, soft-spoken Mr. Simmons, who likes being alone in his dimly lighted cubbyhole. "I won't mind as long as they don't make too much noise."

What's happening is that the National Archives, the country's chief depository for historical records, is mounting an enormous project: declassification of 172 million pages of secret documents from World War II and earlier. It's all the result of the furor over "the Pentagon Papers," which, among other things, stirred controversy over excessive classification. The Archives, it turned out, has secrets going back to 1913. So last March President Nixon issued an Executive Order aimed at opening up old classified files and easing access to more recent ones.

Geo Whiz!

So far, most papers unlocked hardly seem worth the prolonged secrecy. Samples: A telegram reporting the loss of the battleship Arizona at Pearl Harbor. A design for a sling-shot device for harmlessly detonating German rockets during World War II. An analysis of Argentina's methods of selecting officers. And a bulky report on the railroad routes of the Balkan Peninsula.

Partly because the disclosures are so unsensational, the declassification project is kicking up controversy. Some researchers, including Williams College historian James MacGregor Burns, claim the presidential order doesn't go far enough and the operation is creating a

them. Until now, their main job has been simply to preserve 30 billion pages of federal records and a smattering of objects ranging from Ethiopian ceremonial swords to a couple of preserved human fingers (lost by Americans to Mexican bandits).

Inside the Archives' imposing classical-Greek building here, most documents are open to the public. They're either on display, like the Declaration of Independence, or easily accessible, like millions of Civil War papers.

But the Archives also contain about 470 million pages of classified documents, and these are the targets of the presidential order; it provides, with some exceptions, for the automatic declassification of all documents 30 years of age or older. The goal is to open up nearly all World War II records by 1975, leaving only the early postwar and Korean War documents to declassify later. (The Archives' secret war material stops at 1954. More recent material is kept in the departments where it originates.)

A Depth of Detail

When finished, the project will have materially enriched knowledge of recent American history, experts say. "The new data probably won't change any interpretations," says Edwin Thompson, head of the Archives' declassification program. "But it will give us nuances and a depth of detail we've never had before."

To begin the work, the Archives this June got a \$1.2 million appropriation to hire 100 extra people, and in recent weeks declassification teams have begun penetrating the Archives' dozen tight-security rooms, entrance to which is restricted even for archivists.

Typical of these is Mr. Simmons' cramped cubicle, cluttered with numbered boxes. Rarely interrupted, Mr. Simmons blinks in surprise as the door clanks open and a visitor strolls in, escorted by a senior archivist (one of three persons who knows the combination to Mr. Simmons' door). Bemused, Mr. Simmons puts aside the task he has been hard at for years: indexing the Warren Commission records. Nearby, in containers, are Lee Harvey Oswald's rifle and personal articles of the Kennedy brothers that are related to their assassinations.

Always on guard, Mr. Simmons permits no casual visitor to see these items. Only nine years old, the still-restricted Warren Commission records won't be subject to automatic declassification for another 21 years. And the Kennedys' personal effects aren't subject to the declassification project at all; they're kept locked up under a separate policy. But one aisle away begin rows of State Department papers dating back to World War II that will shortly be scrutinized by the declassifiers.

How the Declassifiers Work

How the declassifiers work can be glimpsed at the Federal Records Center in nearby Suitland, Md., where the spillover from the Archives' main building is kept. In two large vaults, protected by combination locks changed every three weeks, archivists and special Army teams are making the first inroads on the Army's 30,000 cubic feet of World War II secrets.

In one vault, where the more routine secrets are kept, the teams are engaged in "bulk declassification." The archivists take samples of documents to indicate the sensitivity of broad categories of data. If the papers plucked out seem

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The Eagleton Tragedy

By JAMES RESTON

WASHINGTON

STATINTL

The Eagleton Case dramatizes once more the need for a coherent policy of checking the medical records of men and women who are being considered for positions of great power. Senator Eagleton is not the cause but only the latest example and victim of a much more serious national problem.

At the critical levels of government below the Presidency, Vice-Presidency and the Cabinet, for example, it is recognized that high officers of the armed services and key officials of the Central Intelligence, Atomic Energy, Space and other sensitive agencies must be carefully checked out physically and mentally before they are given access to "top secret" information.

And also, human frailty and temptation being what they are these days, it is recognized that these checks, not by the officials' own doctors but by medical boards representing the national interest, should continue regularly during a man's service, lest his health and stability deteriorate under the savage physical and mental pressures of high office.

Yet there is no such mandatory process for the people at the very pinnacle of executive power. On the published records, Senator Eagleton probably could not pass the tests if they were given. For the scientists who work on atomic weapons, there is such a clear and hard test, but for the President or Vice President, who have the ultimate power of using atomic weapons, there is none.

It is easy to be sympathetic to Eagleton, but he is in trouble because of a recklessly irresponsible system, which no sensible corporation or even professional football team could afford to tolerate.

The interesting thing about this is: Why do we forget the elemental lessons of the past? Why rely in such important matters on the valuable but accidental and often imprecise disclosures of newspaper reporters, or the reassurances of Eagleton and McGovern, who are obviously more concerned with the political than with the medical facts; or even, why rely on Eagleton's doctors, who are now put in the awkward position of being dragged before the press to pass judgment on Eagleton's health without being able to disclose, at Eagleton's request, their original, objective reports of the facts?

This is obviously an absurd situation, but it is not primarily the fault of Eagleton or McGovern. It is the fault of a process which is clearly out of date and was irresponsible long before

the United States was a major world power with Presidential and Vice-Presidential control over weapons that could determine the destiny of the human race.

The irony of this problem of health, politics and power is that it has been so obvious for so long without any effective remedy or defense. Woodrow Wilson was paralyzed in his bed in the White House and deceived the Senators who came to check on his condition by keeping the paralyzed side of his body under the bedcovers. Franklin Roosevelt's health was a vague underground issue in the 1944 Presidential campaign, but the issue was left to his personal doctor. He reassured everybody that everything was all right with Mr. Roosevelt, who died a few months after taking his fourth term in the White House.

Henry Wallace was dumped by Roosevelt as his third-term Vice President on vague charges that he was an ideological and psychological problem—though most of Wallace's economic and foreign-policy ideas have now been adopted by President Nixon—and the whole tragic history of the last World War, including the genocide of the Jews in Germany and the extermination of millions of human beings in the Soviet Union, is now being blamed in large part on the psychological derangements of Hitler and Stalin.

No analogy with Eagleton is intended here; only the clear and unavoidable fact that men with the power of peace or war should be checked objectively before they are nominated and elected—and checked regularly thereafter.

There is no such system now. If there had been, Eagleton would have known that he would have had to submit to an objective report of his medical record, and might not even be able to pass the test of a general Army officer for "top secret" clearance.

But this is the fault of the system, a system that is very compassionate to human beings whose age and health interfere with the efficient execution of their work. It tolerates Supreme Court justices who are in serious ill health or who are even almost blind, elders of the House and Senate who preside over the powerful committees of the Congress when, by hard work and too many years, they have staggered down into senility and lost their way.

Maybe the Republic can bear this human compassion in the Supreme Court and the Congress—though even there it is highly questionable—but at the level of the Presidency and the Vice-Presidency in this age of atomic weapons abroad and human violence and political assassination at home, the present system is wildly out of date.

Eagleton and McGovern therefore are not really to blame for the present mess, which nobody, including President Nixon, would defend as sensible or responsible. And the question now, after this latest dramatic evidence of the realities, is whether the system will be changed or forgotten, as it was after all the serious questions raised by the illnesses of Woodrow Wilson, Franklin Roosevelt and Lyndon Johnson.

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Selection of Ellsberg Jury

Continues

By Sanford J. Ungar

Washington Post Staff Writer

LOS ANGELES, July 17—

The defense in the Pentagon Papers case, fighting to exclude from the jury all people who have ever held security clearances, filed affidavits in federal court here today contending that such people could not judge the case fairly.

"Cleared employees of defense contractors are definitely afraid of losing their security clearances if they do not accept and demonstrate support for each procedural rule pertaining to the handling of material bearing classification marking," said William G. Florence, a retired Air Force security expert, in his affidavit.

As jury selection in the conspiracy, espionage and theft trial of Daniel Ellsberg and Anthony Russo entered its second week today, defense lawyers continued to insist that persons with security clearances might be afraid to vote for acquittal, lest their livelihoods be threatened.

The charges arise out of Ellsberg's and Russo's disclosure of the Pentagon Papers, a history of U.S. involvement in Southeast Asia, which were

stamped "top secret-sensitive" at the time and still will be when seen by the jury.

Refusal by Judge

U.S. District Court Judge W. Matt Byrne Jr. has repeatedly refused to quiz prospective jurors on how they would react to the secrecy stamps or whether they feel they might endanger their jobs with a verdict that renounces the security classification system.

Today's affidavits were part of a defense effort to change the judge's mind.

Florence, who is serving as an Ellsberg consultant for the case, said that those who undergo "security indoctrination" by the Air Force "have exceptionally strong convictions about the sanctity of a classification marking on a document."

Bernard Brodie, a former staff member at the Pentagon-oriented Rand Corporation in Santa Monica—where Ellsberg was working when he and Russo photocopied the papers—said in his affidavit that "those who hold high security clearances form a virtual priesthood, from which common people are excluded."

Morton H. Halperin, a former National Security Council

and Defense Department aide also serving as a consultant to Ellsberg here, observed in another affidavit that "a juror with a clearance will be under great pressure not to condone a violation of the procedures which he has been trained to follow."

One prospective juror, Terrence O. Meadows Jr., an engineering manager at a North American Rockwell plant, dramatized the defense argument when he told the court today that he could not describe a military project on which he once had a top-secret clearance because "it's still top-secret."

The defense will contend during the trial that the Pentagon Papers were not properly classified and that once a copy of them was deposited with the Rand Corporation, they were subject to "special security arrangements" more lenient than in most instances.

Continues Questioning

Byrne continued his individual interrogation of prospective jurors in the case today and was told by Andrew L. Gram, a retired Los Angeles city official, that "there are a lot of things that are awfully dull that I don't like to read."

That was a reply to Byrne's standard question about whether the potential jurors are willing to read substantial parts of the Pentagon Papers when they are put into evidence.

Gram, when asked for his views about the war in Vietnam, gave a five-minute talk about why he had originally been "vehemently against it" but was now "reconciled" to it.

His willingness to talk at length about the war took the courtroom by surprise, since many prospective jurors have been reluctant to do so.

More characteristic was Paul Clearwater, who was also

questioned today and said about the Vietnam war, "I think it's an unfortunate set of circumstances that got us involved. That's about it."

Today's examination of one person, Richard D. Duencel, who formerly served as an intelligence officer in the Army security agency, took over an hour.

Duencel said that he occasionally consults a 90-page security manual in the course

of his job at the Lockheed Aircraft Corporation and that he has a distaste for the United States' "non-win philosophy" in Vietnam.

Another member of the jury panel, Minnie B. Overland, was dismissed today after she complained to Byrne that it was too far for her to travel to downtown Los Angeles every day from her home in San Bernardino, about 70 miles to the east.

STATINTL

17 June 1972

Mr. Philip L. Geyelin
Editorial Page Editor
THE WASHINGTON POST
Washington, D. C. 20005

Dear Mr. Geyelin:

On 16 June 1972 you published an article by Mr. Alan Barth, entitled "Free Speech, Security and the CIA", which discusses the case of Victor L. Marchetti. This is a case in which the Government has obtained an injunction requiring Mr. Marchetti to comply with his contractual undertaking that he would submit any material having to do with intelligence for review by the Central Intelligence Agency as to whether it contained classified information relating to the national security.

Mr. Barth cites the injunction order in part, but by omitting certain parts he distorts the impact of the order and thereby also distorts the nature of the case. In enjoining Mr. Marchetti from further breaching the terms and conditions of his secrecy agreement, the order has two provisos:

Provided, however, that this Injunction shall not apply to any information, the release of which has been authorized in accordance with the terms and conditions of the aforesaid contract, and Provided, further, that this Injunction shall apply only with respect to information obtained by said defendant by reason of his employment under the aforesaid secrecy agreement and which has not been placed in the public domain by the United States.

The Order then continues:

FURTHER ORDERED:

That the defendant shall submit to the Central Intelligence Agency, for examination 30 days in advance of release to any person or corporation, any manuscript, article or essay, or other writing, factual, fictional or otherwise,

The Federal Government: Top Psyche Snoop?

In the name of 'national security,' thousands of employees and applicants are probed annually in regard to the most intimate details of their lives.

SOLVEIG EGGERZ

STATINTL

+ DO YOU BELIEVE in God? Do you love your mother? How frequently do you urinate? Do you have satisfactory sex relations? Those are questions that most people consider highly personal and private, questions strangers have no business asking. But they are precisely the kind of questions that will be put to you if you happen to work for the federal government, and answering them is part of the price you pay for a job that promises security and regular promotions.

It is not generally known that Washington hires thousands of psychologists to investigate every nook and cranny of the employee's thoughts and attitudes. The assumption is that his answers to questions regarding attitudes on sex, religion and family life reveal whether the individual is "normal" or "deviate" and determine his "suitability for employment." Hence, in the name of "national security," thousands of employees and applicants are probed annually on the most intimate details of their lives. They are asked to "be truthful with the government" about things they would not disclose to their best friends. But, to ensure truthfulness, they are strapped to lie detectors and subjected to a whole battery of psychological tests. Not only is such a psyche probe humiliating. Since it strips the person of all his secrets, it shatters his dignity.

Harnessed to a Polygraph

Recently, a young college graduate applying for a job with the National Security Agency (NSA) was asked, while harnessed to a polygraph, to answer the following among other questions:

When was the first time you had sexual relations with a woman?

Have you ever engaged in sexual activity with an animal?

When was the first time you had sexual intercourse with your wife?

Did you have sexual intercourse with her before marriage? How many times?

And an 18-year-old college sophomore applying for a summer job as secretary was questioned on the details of her relationship with her boyfriend. For example: "Did he abuse you? Did he do anything

unnatural to you? You didn't get pregnant, did you? There's kissing, and petting, and intercourse; and after that, did he force you to do anything to him or did he do anything to you?"

Approximately 20,000 lie-detector tests are given annually in 19 federal agencies. The defense department alone administers some 12,000 such tests per year. The NSA and the CIA are exempt from furnishing statistics, but they are rumored to give about 9,000. Presumably, the results of the tests remain confidential. But there is much evidence to the contrary. A woman employee of the defense department, already cleared to handle military secrets, was due for a promotion. But rather than take a lie-detector test she passed up the chance, because she had heard that the polygraph operators were notorious gossips about their subjects' reactions to questions on intimate sexual matters. It seems indeed that an applicant's or employee's results follow him for the rest of his career. For instance, a young Vietnam veteran, seeking a job in federal law enforcement, was asked in the course of his test to describe his life in Vietnam, including the names of all of the girls with whom he had had sexual relations. He did not take the job. Later on, however, he applied for work with the Washington metropolitan police force — and was turned down. Among the reasons given by an official was the lie-detector test he had taken earlier. He then applied to the interior department's park service, which tested him extensively. But again the original test caught up with him; he was asked questions based on it. In the end he was refused a job. The department, he was told, had "too much information on him."

Polygraph tests in the federal government are generally administered by polygraph technicians rather than by trained psychologists. Not without cause, it is widely believed that these technicians enjoy a high degree of professional rapport and share confidences with each other. As for strictly psychological tests, the Civil Service Commission forbids inquiries into the intimate life of employees. But a loophole in the commission's directive permits a medical examination. It is rumored that government agencies frequently send employees they intend to retire

8 JUN 1972

Ellsberg Asks Court to Hear 'Leak Experts'

By Sanford J. Ungar
Washington Post Staff Writer

LOS ANGELES, June 7 — Lawyers for Daniel Ellsberg and Anthony Russo, charged with violating the law by disclosing the top secret Pentagon Papers last year, today offered to provide 17 expert witnesses who would testify in federal court here that such alleged violations of the law routinely occur in Washington every day.

The witnesses include a current member of Congress, three former White House staff members, one former presidential "confidante," a former member of the CIA, four other ex-government officials, five working journalists, a diplomatic historian and a former official of the National Archives.

Pressing U.S. District Court Judge W. Matt Byrne Jr. to hold a full evidentiary hearing on their motion to dismiss the indictment against Ellsberg and Russo, attorneys Charles Nesson and Charles Goodell, a former Republican senator from New York, said their witnesses could detail regular traffic in secret documents.

The witnesses' names were kept secret, pending Byrne's decision whether to hold the hearing, which government prosecutors contend is inappropriate at this stage of the case.

Sources close to the case said, however, that the congressman is Rep. William S. Moynihan (D-Pa.), and that the others include Arthur Schlesinger, a former aide to President Kennedy; Morton H. Halperin, a former Defense Department and White House official; Robert Manning, a former assistant secretary of state, and now editor of The Atlantic Monthly, and William G. Florence, a retired security classification expert for the Air Force.

The defense attorneys said the testimony would be relevant to show that Ellsberg and

Russo "were singled out for prosecution according to a principle of selection which is invidious, discriminatory and constitutionally impermissible."

Submitting an advance "offer of proof" as required by the judge, Nesson and Goodell filed an affidavit with the court indicating for the first time the number of witnesses and the nature of their positions.

The affidavit also included examples of the testimony that would be given:

• A veteran Washington correspondent: "The government regards information of a classified nature as ammunition to be fired, not as secrets to be guarded. . . . I see documents classified secret or top secret on a regular basis. Often I don't even know the source of the documents myself. They are made available through intermediaries."

• A former government official: "Everybody takes top secret papers home. I did it constantly even though the regulations said it shouldn't be done."

• A Washington correspondent: "I don't think there is anything particularly illegal or illegitimate about it, but let's face it, most of the time government uses the press for their own purposes. Usually the system of which they are now complaining is the system they use."

• A former White House aide: "I was one of those whose function it was to brief newspapermen. It was one of my jobs at the White House to leak classified information. We did it all the time."

• A diplomatic historian: "I have supervised my work. I was given access to the personal papers of Dean Acheson. These papers consisted of approximately two file drawers of highly classified and exceedingly sensitive documents taken from the State Department by Dean Acheson and stored by him in his (law office). I was given full access to these voluminous papers without any condition of receiving a security clearance."

son. These papers consisted of approximately two file drawers of highly classified and exceedingly sensitive documents taken from the State Department by Dean Acheson and stored by him in his (law office). I was given full access to these voluminous papers without any condition of receiving a security clearance.

• A former foreign correspondent: "For a period of time I was given access to the daily CIA bulletin, which is classified top secret. They knew that I had access and they found out who it was in CIA giving it to me. Eventually, they transferred that person. He was never prosecuted."

The points made in the Nesson-Goodell affidavit were similar to those advanced last summer by The New York Times, The Washington Post and other newspapers sued by the Justice Department for publishing articles based on the Pentagon Papers, a history of American involvement in Southeast Asia.

The Supreme Court eventually ruled that the newspapers were entitled to print the articles, since the disclosures did not endanger national security.

Byrne withheld a ruling on the defense request for an evidentiary hearing, pending a government response to the affidavit which is due on Friday.

In courtroom argument today, the defense insisted that in order to convict Ellsberg and Russo of violating the espionage act, as charged, the government must prove that the defendants had the "intent" to harm the United States and to help a foreign nation.

But the prosecutors in the case claim that the specific sections of the act under which Ellsberg and Russo are charged do not require proof of that intent.

In another development today the judge denied two defense motions.

One sought dismissal of the entire indictment because it was not signed by Robert Meyer, the U.S. attorney here at the time it was issued. The other sought dismissal of those counts in the indictment charging Ellsberg and Russo with theft of government property.

STATINTL

Secrecy Curtailment Seen Most Ineffective

CHICAGO DAILY NEWS

WASHINGTON — President Nixon's executive order designed to limit secrecy in government is now in effect.

However, correspondents and congressmen who have been fighting an uphill battle against the problem are pessimistic about the results it will achieve.

The order, signed last March and put into effect June 1, reduces the number of bureaucrats who can wield the top secret, secret and confidential stamps.

In theory, all 10-year-old top secret papers, all 8-year-old secret documents and all 6-year-old confidential material are now available for public perusal.

In practice, you must know which secret you want to see before you can ask for it. Your

next step is to ask the department involved to let you see it. The person who classified it can decide whether to release it or not.

If he rules against you, you can appeal to a departmental committee. If it turns you down, you can go to the newly created Inter-Agency Classification Review Committee. And if it says no, you can carry your case to the federal courts — if you have the money and time.

The presidential order was put forward to placate Congress after the furor stirred up by the Pentagon papers.

But Rep. William S. Moorhead (d-Pa.) charges that the order will make little difference because it is "unworkable, unmanageable and filled with technical defects and massive loopholes."

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AAP Files Amicus Brief for Ex-CIA Agent Restrained from Writing Book on Agency

The Association of American Publishers last week filed a friend of the court brief on behalf of a former Central Intelligence Agency agent who has been restrained by a Federal Court order from publishing a nonfiction book based on his experiences with the CIA.

Victor L. Marchetti, who resigned in 1969 after 14 years with the CIA, is the author of the novel "The Rope Dancer" (*Grosset & Dunlap*), published last fall, a fictionalized account of an agent who became disenchanted with his organization because he felt it was out of step with the times. Ernest Tidyman, who won an Oscar for his screenplay "The French Connection," has an option to make "The Rope Dancer" into a movie.

But the target of the Justice Depart-

ment restraining order, which was granted by Judge Albert V. Bryan Jr. in the U.S. District Court at Alexandria, Va., is a still-to-be-written book based on fact for which Marchetti has a contract with Alfred A. Knopf.

The government maintains that Marchetti is bound by a secrecy agreement he signed both on joining and leaving the CIA.

The Justice Department contends that the case does not involve Marchetti's protection under the First Amendment to disseminate his writings free of prior restraint by the government.

The AAP, however, argues that "neither Marchetti's prior government employment nor any contract signed by him can be considered as a waiver of

his—or the public's—Constitutional rights."

Contending that Judge Bryan went far beyond what the government requested in the injunction, the AAP brief states:

"... Virtually since its founding, the role of the CIA in American foreign policy has been the subject of considerable public interest and controversy. Obviously, Mr. Marchetti could be in a position to make public material which could be of immense help in clarifying and sharpening these issues of legitimate public concern..."

In granting the government's permanent injunction, Judge Bryan wrote that "in the opinion of the court, the contract (with the CIA) takes the case out of the scope of the first amendment..."

P R O F I L E

ALTHOUGH John Service, a retired diplomat of sixty-two, usually enjoys good health and good spirits, he has been forced to think, periodically during the past twenty-seven years, about how his newspaper obituaries will begin. They will say that he was accused of espionage in the celebrated *Amerasia* case toward the end of the Second World War, and they will also contain a middle name, Stewart, which he almost never uses. Service, who has been absolved countless times of espionage or any other crime by various bodies, including the Supreme Court of the United



John Service

States (though not including the China Lobby), recently told a friend in Berkeley, California, where he lives—with, considering all he has gone through, remarkable equanimity—that he has had three lives. For most of the first life, between his birth, in 1909, and 1945, he was in China, engaged in studies on his own behalf and on his country's. For one recent, heady six-and-a-half-week stretch of the third life, which began in 1962 and has also been dedicated to China studies, Service was back in China. During the greater part of the seventeen years that intervened, owing to the unremitting harassment of Senator Joseph R. McCarthy and like-minded bullies Service lived in limbo. Both before and after his banishment from responsible governmental affairs, Service talked extensively with the highest Communist Chinese leaders, and during the Second World War he was one of a very few American diplomats whom Mao Tse-tung and Chou En-lai knew well. The fact that this man, whom the future rulers of Peking grew to like and trust, was quiet, dignified, candid, compassionate, and that he represented the very best in America, could have been most helpful to our country. Indeed, history might have taken a different turn if anybody in power in Washington had heeded Service's account of his 1944 and 1945 conversations with the Communist chiefs, and some of his

saying then that, no matter what hopes anybody entertained about China's future, and no matter how much anyone might wish to see Chiang Kai-shek retain control of a unified China, in the struggle between Chiang and the Communists Chiang was certain to lose. That Service was correct his later detractors considered irrelevant; they could not perceive the difference between predicting an eventuality and preferring it. Among some of the cruder jabs at Service, in his years of limbo, was the allegation that he was somehow personally responsible for the deaths of American boys in the Korean war. The fact is that if he had been listened to, and the United States had taken a realistic view of China and its Communists, there might not have been any Korean war. Moreover, Service, though he rarely dwells on his stressful past, has suggested that if anyone in a position of authority roughly a quarter of a century ago had reflected on what he and other knowledgeable China hands were reporting, there might not have been any Taiwan problem, either. "Mao's China, having come to power in a different way and not thrust into isolation by a hostile West, might be quite a different place," he wrote not long ago. "It might be one, for instance, where Chinese-American ping-pong matches were normal occurrences instead of being a world-shaking event." A couple of months ago, a Japanese

to summarize his feelings about the whole tangled course of relations between the United States and contemporary China, and he replied, simply, "I think we missed a great opportunity."

SERVICE, known to most McCarthyites exclusively as John Stewart but to most of his friends as Jack, was born in Chengtu, in the southwestern province of Szechwan, on August 3, 1909. His parents, Robert Roy and Grace Boggs Service, had gone to China four years earlier to work for the Young Men's Christian Association. At the beginning of the century, the

Y.M.C.A. had something of the appeal to young people that the Peace Corps was to have sixty years later. Robert and Grace had met as undergraduates at the Berkeley branch of the University of California, and for much of their long stay in China they were supported by the college Y, which was then an extracurricular institution of substance. There is no Y on the Berkeley campus today—and none in China, either—but when Jack Service was a boy the Y.M.C.A. was very big over there. In 1912, Robert Roy Service had his picture taken at the Nanking Y with Sun Yat-sen. The missionaries not only tried to teach the Chinese about the Western world and, sometimes no more than incidentally, about Christianity but, with much greater success, taught them ping-pong.

Robert Roy Service established the first Y.M.C.A. in Chengtu. The city, which was laid out like Peking, with a sacrosanct inner city and stout exterior walls, and which was the capital of a province of some seventy million people and boasted a resident viceroy of the Emperor, an arsenal, and a mint, had never been designated a treaty port, so it harbored almost no Western businessmen. Of its population of half a million, there were only about a hundred and fifty foreigners, and of these, one-third of whom were American, nearly all belonged to missionary

continue

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If You Want to Work For the Government, Hide That Dart Board

Bureaucrats Try to Curb Hiring Of Pranksters, Subversives; Is Your Mailman a Socialist?

By ELLIOT CARLSON

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—Whatever fate awaits Daniel Ellsberg, one thing seems sure: He'll never wangle another federal job.

And partly because of Mr. Ellsberg, a lot of federal job applicants may find the obstacles higher before long. Stung by such celebrated leaks as the Pentagon Papers (for whose release Mr. Ellsberg has been indicted) and dismayed by assorted lesser acts of employee effrontery (using President Nixon's picture as a dart board, for instance), the bureaucracy is circling up the wagons.

"We're faced with an unprecedented problem," says Robert Mardian, assistant Attorney General. Not only are "revolutionary terrorists" finding it easier to infiltrate the bureaucracy, he maintains, but "we're getting more people in government who feel they should be ruled by a sense of conscience" rather than by what the bureaucracy expects of them.

Of course, not everyone is as worried as Mr. Mardian. Nor would everyone call an employee who persists in following his conscience a "problem." But liberal critics and the courts willing, the Nixon administration and some conservative Congressmen aim to drastically revise security procedures, thus screening out all but the most "reliable" applicants. Some current developments:

—U.S. personnel men are considering a plan that would subject some prospective civil servants to much more probing investigations before hiring and make certain others more vulnerable to firing later.

—The Nixon administration wants to give the controversial Subversive Activities Control Board powers that could damage the prospects of applicants with radical backgrounds.

—And two Democratic Congressmen, Richard Ichord of Missouri and Richardson Preyer of North Carolina, are proposing that all U.S. job applicants be subject to security checks and swear an oath to support the Constitution.

"Patriotic Breastbeating"

Congressional hearings on both the administration proposal and the Ichord-Preyer measure concluded this week. All three proposals have aroused strong opposition.

Critics say the moves would discourage independent-minded persons from seeking jobs and might revive the "witchhunts" of the Joe McCarthy era. Some find the idea of oaths particularly obnoxious. "Patriotic breastbeating will always be offensive to your more thoughtful persons," contends James Heller, chairman of the Washington office of the American Civil Liberties Union. "They (the oaths) don't encourage loyalty, just resentment. Nor would they catch anyone who's intent on being a problem."

Nixon administration officials themselves are cool to the Ichord-Preyer bill. Government lawyers doubt its constitutionality, and admin-

istrators say they have nowhere near the resources to make security checks on the nearly one million persons who each year bid for U.S. jobs. (The government now makes such checks only after appointment for the roughly 300,000 persons hired annually for routine, or "nonsensitive," posts.)

But federal officials argue that something must be done. Only seven U.S. employees have been fired for disloyalty since 1956; and none since 1966—and officials insist the figures don't tell the facts. The officials say post-appointment loyalty checks have deteriorated into mere formalities because recent court rulings have held that federal jobholders may be fired on security grounds only for actual criminal acts or other specific kinds of misconduct. The courts no longer recognize past or present membership in "subversive" groups as sufficient grounds for separation from nonsensitive jobs.

"Some Close Calls"

"Radical groups are actively urging their members to enter industry and government," frets Kimbell Johnson, director of the Civil Service Commission's bureau of personnel investigations. "We've had some close calls."

For example, he says, one California student seemed headed for a high-paying job as a government mathematician. But shortly before her job became official, she was arrested for allegedly swerving a car into the path of a Dow Chemical Co. truck, causing it to overturn. Only then did the government discover she was a member of the Students for a Democratic Society, a radical group whose members the government would prefer not to employ. It also learned the details of an earlier arrest. In that case, the government alleged she confronted Gen. Maxwell Taylor at a speech and shot red ink at him from a squirt gun. (The truck case never came to an ultimate verdict in the courts, but in the squirt gun incident the girl was fined \$75 for disorderly conduct.)

So far, U.S. officials report no rise in activities actually treasonable, but they do see a steady increase in "embarrassing" antics. Some civil servants were recently caught using pictures of President Nixon in their offices as dart boards, for example. Also cited are the many "anti-establishment and anti-Nixon" posters in government offices. Particularly galling was the young but high-level civil servant who organized a training seminar for government interns; it consisted of various slides, many stamped "----- Nixon."

Many persons argue that such devilry is relatively harmless, at least as long as it is confined to persons in "nonsensitive" posts. They make the further point that one function of Civil Service is to insulate bureaucrats from retaliation from superiors for their political views.

But some administration officials fervently believe that even persons who engage in embarrassing antics must be viewed as potential threats to the nation's security. Some independent observers concur. "In today's climate, there is no government position which is not sensitive," declares Charles E. Rice, a law professor at Notre Dame. "Who but the janitor would know better the location of air-conditioning ducts in which to place explosives?"

U.S. security men squelched the appointment of the SDS woman on the ground that her actions weren't those of a "loyal person." But they growl that they aren't always so lucky. A decision last fall of a U.S. district

court, for example, required them to reinstate a Socialist as a mailman.

The government had fired the mailman on the ground he was a member of the Socialist Workers Party, included on the Attorney General's 24-year-old list of allegedly subversive organizations. The court ruled that the party's subversive nature hadn't been proven. Not only did the man get his job back but also other members of the party have since become letter carriers, too—a development that clearly upsets government men.

So the Nixon administration is moving to upgrade the legal standing of the subversive group list. Courts have questioned its credibility from the beginning, since the Attorney General was both prosecutor and judge in determining which groups should be listed. To remedy this, President Nixon recently transferred greater responsibility for the list to the Subversive Activities Control Board, which is outside the executive branch. The administration now seeks legislation to give the board subpoena, contempt and judicial-review powers. It would then use them to investigate groups for possible listing.

Meanwhile, federal personnel men are weighing administrative changes that would submit candidates for supervisory, managerial or fiduciary jobs to a "full field investigation," including interviews with neighbors and employers and inquiries into past associations. These intensive investigations now are limited to the relatively few persons seeking highly sensitive jobs.

More controversial, the contemplated changes would require all new employees to meet an "affirmative" standard requiring that their continued employment "will promote the efficiency of the service." This means bureaucrats could be removed at the end of a probationary period for failing to exhibit certain personal qualities—respect for authority, for example—not now considered in firing workers. And presumably, past and present political associations could be weighted in, too.

"We've got to do a better job of predicting the future behavior of our employees," says the Civil Service Commission's Mr. Johnson. He maintains that persons removed under the proposed changes "wouldn't be stigmatized as disloyal, since we'd simply be making employability judgments." And he says the beauty of the changes is that "we'd be freed from having to come up with enormous evidence of wrongdoing."

To critics, that's exactly the danger. The trouble, says Lawrence Speiser, a Washington civil liberties lawyer, is that the investigations will wind up being done by bureaucrats who can't "distinguish between disloyalty and dissent." That "would inhibit the free expression of government employees—and future government employees," he says. "You'd end up with a mediocre civil service."

Thomas Emerson, a Yale law professor, argues that the government should worry more about finding competent people to do the job and less about loyalty and security. Perfect security will always be unattainable, he says.

"Look how gung ho Daniel Ellsberg was when he first entered the government," he muses. "Ellsberg would have passed any loyalty test with flying colors."

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The Federal Spotlight—

Tighter Pre-Hiring Security Checks Urged

By PHILIP SHANDLER
Star Staff Writer

The Civil Service Commission, on request of the Justice Department, has asked federal agencies to tighten up pre-hiring investigations of applicants for top-security jobs.

A letter from CBS Chairman Robert E. Hampton to agency heads on the matter was disclosed yesterday as commission officials testified before a House Internal Security subcommittee.

The subcommittee chairman, Rep. Richardson Preyer, D-N.C., and the chairman of the parent committee, Rep. Richard Ichord, D-Mo., have been taking testimony on a bill they sponsor that would create a new loyalty-monitoring commission in place of the presidentially appointed Subversive Activities Control Board, which they believe has been ineffectual in rooting out subversives.

The letter, sent last week, said "a number of agencies" have been putting people into critical-sensitive jobs before security checks have been completed.

And Hampton said he had been told by Robert C. Mardian, assistant attorney general for internal security, that Mardian is "particularly disturbed that such a practice is being utilized on a fairly widespread basis."

While neither Justice nor the CSC told agencies not to hire unless the so-called full-field investigations had been done first, Hampton quoted Mar-

dian as saying that Justice "considers it extremely important" that such checks be made before appointment.

More than 40,000 such investigations are made annually, according to Kimball Johnson, director of the CSC's Bureau of Personnel Investigations. They take at least several weeks.

Agencies that have delayed the investigations have told the CSC that they are "impractical . . . because applicants are unwilling to wait for the completion of the investigations before they are placed on the rolls," Hampton noted.

The agencies' rationale has been that those hired aren't given access to classified information until getting security clearances, anyway.

But Mardian said that "deals with only one aspect of the problem."

"A person in such a position may very well be in a position to make or effect policy decisions of the utmost importance," he said.

In relaying the Justice position, Hampton commented that the time needed for investigation "is an important consideration but not an overriding one."

Agencies that rigorously have been using the investigations have found they serve a function broader than security, he said—"to develop information about abilities and attributes essential to success in positions of responsibility."

Disclosure of the Hampton letter was made by Johnson

and CSC General Counsel Anthony L. Mondello in testimony before the House Internal Security loyalty subcommittee.

Mondello said the CSC, while favoring extensive pre-hiring investigations, believes the proposed legislation to be unnecessary. It would create "unwarranted administrative difficulties," he said.

At the same time, Mondello denied allegations that the subcommittee said had been made by some agencies that the CSC had advised them not to fire people on loyalty and security grounds.

It is true, he said, "we know of no security removals" in recent years.

But this is because both CSC and Justice have urged that agencies use other grounds to "separate" employees, "so as to avoid stigmatizing them."

"It is usually easier to prove the existence of these other grounds than it is to prove a want of security or reasonable doubt as to loyalty," Mondello said.

STATINTL

JAMES J. KILPATRICK

Leak of Papers to Anderson a Grave Breach

We are in the midst of another of those great ruffled flaps involving the press, the government, and the ethics of public and private conduct. This one is serious.

The story goes back to the first week in December, when the Washington Special Action Group met at the White House to discuss the suddenly flaming war launched by India against East Pakistan. The WSAG, in effect, is the super-National Security Council of this administration — a top-level coordinating body intended to serve the President with the best advice and intelligence that can be pulled together by skilled and experienced men.

The three WSAG meetings of Dec. 3, 4 and 6 were held in confidence, of course, behind locked doors, but written minutes were prepared. These minutes were stamped "secret-sensitive," which is the classification level just below "top secret," and then were distributed among an estimated 50 to 75 persons in the Pentagon, State Department, CIA, and the White House.

A person or persons un-

known made copies of the memoranda and gave them to columnist Jack Anderson. He excerpted them for use in his column, and a few days later supplied the texts for use by newspapers generally. In one view—it is the view of anti-Nixon liberals—Anderson performed a great public service, and his anonymous informant was a man of noble character who risked his job in the name of truth and honesty in government.

There is another view. The importance of this disquieting affair does not lie in the memoranda themselves. The importance lies in the leak. Make no mistake: This leak must be found, and it must be stopped. This is a breach of trust, and a breach of security, of the most profound implications.

The memoranda are embarrassing, no more. For the most part, the minutes reflect the discussion of men trying to find out what is going on, and seeking to decide what best to

do about it. The President, they are advised, is angry at India for its aggressive action; he wants "a tilt toward Pakistan." There is much talk of the futility of the United Nations. One detects sympathy for the plight of the emerging nation of Bangladesh; it promises to become "an international basket case." The conferees come to no particular decisions. They agree to prepare certain papers for the President. Their discussion is candid, spontaneous, unreserved.

Subsequent to these private meetings, the White House was publicly to assert its neutrality in the India-Pakistan war. Obviously the White House was not neutral. This was self-evident to every editor and critic in the country.

It is a fair surmise that every government in history has taken public positions inconsistent with its private wishes. Diplomats know this.

What matters, to repeat, is the leak itself. This is not to

be compared with the action of the Washington Post last month in blowing Henry Kissinger's cover as the source of a recent backgrounder; that was no more than an ill-mannered breach of professional rules. Neither is it to be compared with Daniel Ellsberg's clandestine distribution last spring of the aging "Pentagon Papers." Ellsberg was then out of the government.

We must infer, in this instance, that someone still employed at the very highest levels of confidence—some one holding top secret clearance, with access to other memoranda of immense importance—has wantonly violated the trust reposed in him. This goes beyond disloyalty; it sails close to the windward edge of treason. What other documents one must wonder, has this person secretly copied? Where will he peddle them next? This is the alarming aspect. Anderson thinks it "funny," but then Anderson would. It is not funny at all.

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Secret Service Problem— How To Protect Nixon in China

by Fred Blumenthal

STATINTL

WASHINGTON, D.C.

The most elaborate security precautions ever devised for a Chief of State will surround President Nixon when he arrives in Peking for his historic meeting with the mainland Chinese leaders.

And this may come as something of a surprise to many Americans: the United States Secret Service, traditional guardian of the President's safety, is leaning heavily on its Communist Chinese counterpart to make certain that Mr. Nixon's visit, however sensational its diplomatic implications may be, is absolutely uneventful from the standpoint of his personal security.

"No matter how you slice it," a top U.S. security official told PARADE, "we must depend on the host country to assume the major burden of protecting our President. And the Chinese have been cooperating magnificently."

Many of the details of the protective measures arranged between the Secret Service and Peking's security forces are wrapped in secrecy, but this much can be told:

The advance security preparations are not confined to the streets along which Mr. Nixon's party will travel through the Chinese capital or the quarters in which he will stay—they extend around the world.

Ever since the dramatic announcement of the American President's forthcoming journey burst upon the world last August, U.S. and Chinese security experts behind the scenes have been checking and cross-checking everything and everyone he is likely to come in contact with, from his drinking water to the elevator operator in his Peking guest house.

These are the key areas of security concern:

TRANSPORTATION—Mr. Nixon will fly from Washington to Guam aboard "The Spirit of '76" (formerly the USS One), piloted by Air Force veteran Col. Ralph D. Albertazzie, who already has

one Peking landing under his belt, having flown Presidential adviser Henry Kissinger to the Chinese capital last Oct. 20th. The President's 707, which has a range of 7000 miles, an 11-man crew, and room for 59 passengers, will fly from Guam to Shanghai, where it will pick up an English-speaking Chinese navigator for the final leg.

Navigator knows

Col. Albertazzie has no qualms about the professional ability of the navigator, the same officer who guided him into Peking on the Kissinger flight.

"I was delighted with him; he's an excellent navigator," the American pilot told PARADE. "And the Peking International Airport has all the necessary facilities, including electronic equipment. They have been handling Air France and Pakistani 707's on a regular basis, and they know what they're doing."

Other American aircraft will precede and follow "The Spirit of '76" into the Peking Airport, including a still-unknown number of press planes and a cargo jet carrying four White House automobiles—one of them the armored Lincoln limousine in which the President rides wherever he goes, at home or abroad.

Gasoline tested

On the ground, the Presidential plane will be guarded around the clock by U.S. Air Force police and Chinese military detachments, as will the jet fuel for all the U.S. aircraft and the gasoline for the White House cars. The Chinese will supply a full load of 24,000 gallons of fuel for the return flight, but every drop will be tested and filtered before it goes—under guard—into the tanks. This is crucial to the President's safety in the air, but it is no slap at his Chinese hosts: the same precautions are taken every time "The Spirit of '76" takes off from Air Force bases in the United States.

PEKING PROBLEMS—The routes over which President Nixon will travel from the airport and to and from his various official meetings and receptions in the Chinese capital are still secret and may not be divulged until the last minute—if at all. But Secret Service agents, in cooperation with their Chinese opposite numbers, will go over the ground many, many times before his arrival to familiarize themselves with every inch of the way. Every manhole the Presidential party will pass over while driving through the streets of Peking will be inspected and the cover sealed to make sure that no one has planted an explosive device in his path (a routine Secret Service precaution taken on Presidential trips in the United States), and even the utility poles lining the streets will be examined at the very last moment, just in case someone might decide to saw three-quarters of the way through a pole with a view to toppling it into the street, thus blocking the cavalcade and "setting up" a dangerous opportunity for an attack. More routinely, Chinese security agents will keep an eye on rooftops and windows along the way.

Elevator feared

If plans call for Mr. Nixon to enter an elevator at any time, the Secret Service wants the Chinese to check not only the mechanical equipment, but the operator, too.

"There can be nothing more hair-raising," says one veteran security agent, "than to have the President of the United States stalled in the narrow confines of an elevator, especially if the operator might turn out to be unfriendly."

During its stay in Peking, the entire American delegation, including the President, will have its own drinking water supply, not because they have reason to suspect the quality of the water, but because the reason that all experienced travelers are wary of unfamiliar water.

24 NOV. 1971

Open Letter To The Silent Majority

Sidney Slomich

Here is a story, my friends. One night a man dreamt that a monster was on his chest, choking him, trying to kill him. The man woke up in terror and saw the monster above him. "What is going to happen to me," the man cried. "Don't ask me," replied the monster, "it's your dream."

Take your society, your law's integrity, and your country back from the experts. I have been an "expert" and I can tell you that experts gone wild — and they have — are like cancer. They know only one thing: more, more, more of the same. Nothing is more expert than cancer, nothing a better example of power without purpose. Cancer is ignorant, but, oh, it works, it grows.

I have been an expert, have lived among them in their anti-communities — could have rested among them. I hope I have left them well behind me. An expert sees his small piece of reality and little else. He confuses understanding with control and makes of the latter his single virtue. One of our leading social scientists has said that the chief accomplishment of this age is to have changed so many political problems into technical ones. We see in Vietnam, as at Auschwitz, the result of technical solutions to political problems.

So I have been an expert, and I'm not bragging about it. I accepted the necessity of working within the system, believed that it was possible in that way both to affect the system itself constructively and to accomplish something. Only in the late sixties did I come to understand that government, business, and what is correctly called "the Establishment," were too inert, too committed to the shape of things as they have been to inaugurate human policies, that for change the people had to take government back to themselves. Only the people awakened and grasping for power from these mindless megainstitutions, can effect change.

In 1964 I sat in disbelief in a Washington think tank, listening to a very well-financed Army proposal to develop a computerized electronic warning system to alert the Pentagon when a Latin American country was likely to go "red," and — the system having been perfected on paper — to rent a whole Latin American country and army to test it out. This stupid and unbelievably naive project was the product of Ph.D.'s, men who call themselves and are called the scientists. When this project was discovered by Chileans who observed some strangely behaving researchers, it hit the press and was investigated by Congress. When, from the beginning, I criticized Project Camelot, I was asked, annoyedly, why I was always being so "negative." This is a particularly apt, yet typical, example of the allegedly scientific thinking that likes behind Vietnam and all the horrors it has brought to roost in this country and all over the world.

I could give many more examples, but I don't want to take up time with horror stories. Suffice it to say that over the last generation, especially the last fifteen years, the United States — at home and abroad — has been preoccupied not with human life and its purposes, but with ignorant power and control — that is to say with death — and has become, along with the Soviet Union, as a colleague in mindless adversity, the planet's greatest polluter, an agent of potentially total repression, and the greatest threat to continued human life the world has ever faced. I do not like to say these things, but one must speak plainly. There is a monster on our chest.

But it is our dream, and what happens next is up to us, to no one else. I can speak so plainly because I think this nation can throw the monster off its chest.

The hope of this nation, that of any nation, is its people. You are that hope. The entire system in Army think tanks, among them

of expertise and secrecy designed to prevent the people of this country from determining their own destinies is basically a fake. Over the last twenty years I have had a continuous Top Secret clearance from the Army, State, CIA, Defense, ACDA — sometimes from more than one. I never learned one thing of value. Everything valuable that I have learned, known, said, perceived, or written has come from an open, scholarly unclassified source or from newspapers, journals, or my own observations. All these sources are open to you.

There is no silent majority. Man is a speaking animal. There is only a silenced majority, a repressed, clamped-down, and frightened majority. You. You have been frightened and you have been silenced.

Look, these war rooms paneled in walnut, those massive files, those contracts for millions of dollars worth of death and death-research, those fancy desks and chairs, all the paraphernalia of power, bases, buildings, bombs, and all the rest, they are all yours. They belong to you. Take them back, make a human use of them, make this your society, as it is your life. Everything you do, everything you can do, to please yourself and build your life is more beautiful and more real than the fakery, abstraction, obsession, and desire for death that rules this country today. That's the only secret worth knowing. Once you know it you can take back this nation — with difficulty.

Once you know it you will. And then we'll speak not of the American Nightmare, but the American Dream.

(Sidney Slomich, author of *The American Nightmare*, has done research for the Army on Czechoslovakia, spent a number of years as an officer of the CIA, and has worked on strategic

The Research Analysis Corporation. Slomich was senior scientist and then Director of the Arms Control and Disarmament Study Group at Cal Tech's Jet Propulsion Laboratory, immersed in studies for NASA and ACDA on vital inspection and proliferation issues. He has also studied educational policy and counseled foreign governments in urban affairs for the Stanford Research Institute. For 16 years, Slomich worked exclusively within the established foreign policy and governmental system, in public and private organizations, usually in circumstances involving heavy or nearly exclusive use of classified, secret materials.)

On local campuses

A changing mood, psychiatrists busier

By Jean Dietz, Globe Staff

A year ago this fall at the annual orientation session offered by the Harvard Health Service to freshmen, Dr. Preston K. Munter found himself talking to an auditorium marked by plenty of empty seats. Three pairs of bare, unwashed feet protruded from a balcony in the most direct line of vision to the speakers' platform.

This September, the same hall was jammed to capacity by a responsive freshman class. On the surface, their appearance was considerably less scruffy, "much more like the students we used to see before all the trouble," according to the university's chief psychiatrist.

The same changing mood is reflected on every campus this year. The end of the age of affluence and the period of revolt is driving students back to their books.

Ironically, they are flocking to the psychiatrists' offices in droves to share their new concerns in an era of introspection and quiet.

AVAILABILITY

"If you want to see the shrink about a job problem, they might send you to the dean's office or somewhere," explains a student at Massachusetts Institute of Technology.

"But engineering jobs are getting scarce, and if you were considering having to go into your father's business, you might convince them that the problem of how to get along with your father is a legitimate emotional concern."

The increase in number seeking psychiatric counseling says more

about the increasing acceptance and availability of such services here than about incidence of mental illness or mental health.

Even with eight senior psychiatrists, three training fellows, and a number of part-time affiliates, there is now a two-week wait for a routine appointment at Harvard.

This gives a single academic community access to far more highly trained specialists than the state of Montana which has 14 psychiatrists to serve the entire population.

From the view of their psychiatrists, however, college youth of 1971 is coming closer to what their mid-decade parents regard as "normal."

"It's healthy for people to worry about money unless the situation becomes extreme," says Dr. Dana Farnsworth, who retired as chief of the Harvard Health Service in June. "You seldom find people becoming mentally ill over ordinary realistic problems."

Although students are still concerned about war, hypocrisy, civil liberties and racial discrimination, the economic picture has made a significant difference in their attitudes.

It's very expensive to be a radical activist," a former revolutionary told Dr. Munter this fall. "This year I can't afford to be involved."

"Social awareness seems to be somewhat watered down," says Dr. Vernon Patch clinical director at the College Mental Health Center of Boston which provides psychiatric services for 21 colleges, universities and nursing schools. "All the schools report less interest in volunteer community work. Students who would have been activists a few years ago are now on their way to pick up law degrees and try to work through the

Psychological pressures within each university community and the nature of the individual student obviously vary from campus to campus, as well as the subjective reactions of psychiatrists to young people and social change.

DEPRESSION

At Boston University, Dr. Alan S. Katz reports a 50 percent increase in the number of students seeking help at the university's mental health clinic last year, with the upward trend continuing this fall. He senses a "massive depression" among students.

Whereas the students with the usual anxieties over inability to study, how to separate from parents or love problems used to average three or four visits to the BU clinic, the staff now sees many individuals eight or nine times before referral elsewhere for long-term treatment.

"We're seeing a big increase in passive — dependent personalities among students whose family problems have undoubtedly been compounded by drug-taking during their school years," says the therapist.

Dr. Katz suspects that frequent complaints about impotence from young males are often allied with the effects of drug-taking.

"This is the first year we are seeing students who have voluntarily stopped using all drugs, including marijuana, because they feel wrecked," says the B.U. psychiatrist.

DRUGS USE OFF

The off-campus location of the College Mental Health Center on the 43d floor of the Prudential Tower offers anonymity, a quality highly valued

Pressure Mounting to Crack Walls of Secrecy in the Executive Branch

BY D. J. R. BRUCKNER

NEW YORK--There may be nothing more behind the Administration's mania for secrecy than the President's love of surprises. You can hold control in politics by keeping the audience in suspense, and the White House is a tempting stage.

In light of what has happened in the last year it is not entirely unfair to call the concern over secrecy a mania. A confrontation between President and Congress over public information was building up long before the newspapers printed the Pentagon papers. Would those papers have been published at all, if they had been sent up to Congress when they were requested a year ago? But now, when the FBI runs around giving lie detector tests throughout the government, and security clearances for defense contractors are canceled wholesale following publication of the Pentagon papers, you sense something like panic at the top.

As Congress resumes work, the Senate has in committee a number of bills to require disclosure of information by the executive branch and congressional participation in foreign policy decisions. There are four proposed bills to limit presidential war-making powers, all involving full disclosure of essential information. Just before the August recess began, GOP leaders of House and Senate endorsed the general thinking in these proposals, which should have alerted the White House to the temper of Congress.

Sen. Cooper Sponsoring Bill to Require Regular CIA Reports

Also, Sen. Sam Ervin (D-N.C.) is holding hearings on a proposal to limit the use of executive privilege as a means of avoiding questioning or disclosure. And Sen. John Sherman Cooper (R-Ky.) has a bill to require regular reports to Congress by the Central Intelligence Agency. In the odd ways of politics, the CIA bill could eventually be the hardest for the White House to handle; it is simple, but it touches on many areas of secret government operations. One recalls that former President Harry S. Truman wrote a plea on the front page of the Washington Post eight years ago for stricter discipline over the CIA and a curtailing of its functions. It was published a month after the murder of President John F. Kennedy, and thus had little attention; but it is being remembered created the CIA.

Some in Congress suggest now that the pressure of hearings should be kept up and the Administration should be allowed to build public support for Congress' case. It is doing that fairly well. The Defense Department's wide crackdown on security clearances after the Pentagon papers furore has far on its initiative, but just now it is being produced dissension within the Pentagon and in the defense industries. The surprise trip of presidential adviser Henry Kissinger to Peking is not a public relations coup in

the Senate Foreign Relations Committee, which has never been able to persuade Kissinger to testify about anything, and which cannot now persuade him to testify about his trip or about Mr. Nixon's proposed trip to China. Committee members are not even being given much substantive information privately.

Last month, the FBI ranged through the government with polygraphs trying to trace the source of a news leak about arms talks proposals that had been outlined in secret papers the Administration's own security system did not protect; they were passed around in duplicate and triplicate in two departments. So, why the FBI probe? Secretary of State Rogers on Sept. 3 called the news leak a kind of "doze" of information, adding: "Now, we want to stop that, you see. And I think the fact that this investigation has been conducted all over the government, not just in the State Department, will have that effect." That is why: intimidation.

Committee Asked to See a Secret Military Aid Plan

Then, too, the Foreign Relations Committee asked to see a secret five-year military aid plan, preliminary to its approval of a two-year military aid bill. Defense Secretary Laird said there was no such plan. But at least one member of the committee knew there was, and knew it in some detail. Finally the President invoked executive privilege against its disclosure. To the Senate, it must seem that the principle operating here is "lie first, deny later." There is a sense of injury and insult in the Senate, and it is spreading to the House.

It is a safe guess that unauthorized disclosure of secrets will increase now; no matter what Congress does. The internal security efforts of the Administration amount to a man. Once such a principle is clearly understood in a large government, the security

walls come down. There is no mystery about that, except the mystery of human nature and personal dignity.

Congress may not have much stomach for it, but it is in a fundamental fight. Secrecy in one branch of government is essentially repugnant to the exercise of constitutional authority by other branches which have legitimate, defined roles in policy and operations.

Congress could help itself considerably by setting up a general staff to coordinate its overall understanding and oversight of the executive. But, in the long run, it will also have to force open a lot of doors and push its way into secret places where decisions are made. One never expects Congress to move pushed hard by an insensitive executive branch that loves surprises and loathes hearings.

STATINTL

Were You Ever a Wobbler?

Repeating the Top Secret Clearance Process

DURING the Dog Days of August, a legion of officers in the U.S. armed forces and a phalanx of unknown civilians were given the news:

If they held top secret clearances, they were advised that unless they currently are working with top secret material, the clearance is being automatically cancelled by the U.S. government.

What do these tidings mean to them? At

'Over the years this resurgence of red tape will engage the services of the FBI, the CIA and countless clerks and bureau hawkshaws at the cost of millions of dollars to the taxpayer.'

present, practically nothing. But should they ever return to some job that requires such a clearance, they will have to repeat the whole "clearing" process.

They will be fingerprinted, though their prints have not changed. Then they will spend hours filling out forms relating their travels abroad, identifying their ancestors and making note of their associations and affiliations, present and past.

They will be quizzed by security officers as to whether they ever belonged to the KKK, the Know-Nothing Party, the Wobblies, the Knights of the Mystic Sea or other organizations on the current taboo list. Then they will sit and wait while that Rube Goldberg invention, called the review process, grinds out a decision.

Over the years this resurgence of red tape will engage the services of the FBI, the CIA and countless clerks and bureau hawkshaws

By S. L. A. Marshall

at the cost of millions of dollars to the taxpayer.

In my own case I have heard from two so-called Washington think tanks about their latest thoughts.

The message was that I was still cleared for top secret, but since I was no longer actively requiring that clearance, would I fill out the enclosed form acknowledging my discharge from the awesome responsibility? My knowledge of anything that might bring down the pillars of the temple being less than would fill a thimble punctured by a shell from Big Bertha, I was happy to comply.

But it did take time even as it made work for the mailman and no doubt the guardians of our security awaited the reply atremble, worrying about the possibility that another jackass would bolt and bedevil the system.

And what is this ridiculous convulsion all about?

Here is simply another wholesale mischief brought about directly by the capers of Daniel Ellsberg and his pal, Russo. These jokers from the world of science may stay steadfastly loyal to one another, but they seem not to give a hoot about how much trouble they give others.

To begin, there was a minor tremble at Rand Corporation in Washington where the two had worked after a fashion and the security of which they proceeded to scuttle. A new set of security hardhats was rushed to the scene to lock the stable after the horse was gone.

Then out of California, rumbling was heard all the way to the banks of the Potomac. The security beagles dashed to the seeming breaches in the tumbling walls, thereby to save America from total catastrophe.

Here we have what might be called the capricious compounding of a felony. It is an

utterly senseless way to manage a bureaucracy, this penalizing of thousands of persons and millions of taxpayers, because of the actions of two or more misfits who allegedly betrayed their trust. But that is government for you. What we have is but another horrible example of the ill-conditioned reflex that provided Ellsberg with his lame excuse.

Years ago I knew Ellsberg when he was quiet, soft-spoken and had no hint of that glint in his eye. He was working in the Pentagon studying the nature of international crises and had his own theory to expound. The gist was that what is called an international crisis comes about when two sets of men in power feel their personal positions challenged and likely to become forfeited unless they act boldly or at least stand firm. Out of selfishness, they move ever closer to the collision course. None but a simpleton would reject this idea outright.

That I play with it now is not because I am interested in what makes Ellsberg tick.

'... out of California, rumbling was heard all the way to the banks of the Potomac. The security beagles dashed to the seeming breaches in the tumbling walls, thereby to save America from total catastrophe.'

What made the security managers behave like waterbugs is the question. It is here suggested that they were more concerned about their jobs than with the exercise of common sense and that is the general fault in the system.

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Top-Secret Clearances

Special to The New York Times

WASHINGTON, Aug. 25 — Rand employees and consultants with access to top-secret materials from 1,300 to 450 had been recommended to the Defense Department.

The nation's military and defense contractors, at the request of the Defense Department, report that they are quietly making substantial reductions in the number of their employees who hold top-secret Government security clearances.

The move, part of an Administration plan aimed at ultimately reducing the number of security clearances both in and out of Government, was prompted by a dispute last June between the Government and the press over the publication of a secret Pentagon study on the Vietnam war.

Dr. Daniel Ellsberg, a former employee of the Rand Corporation, a private consulting firm engaged in defense work, has said that he had made the study available to the press. While an employee of Rand, Dr. Ellsberg held a top-secret clearance.

Most of the defense contractors who have been asked by the Defense Department to submit their recommendations on which employees no longer need top-secret clearances are still reviewing their personnel rosters. The Defense Department said it would use the recommendations chiefly for guidance, and will retain the right to make the final determination on classification changes.

Indications from companies that have already completed their reviews are that the number of top-secret Defense Department clearances outside the Government will eventually be considerably smaller.

The General Dynamics Corporation, the nation's second largest military supplier and a major builder of submarines, reported that 1,528 employees, or about 2.7 per cent of its work force, held top-secret clearances before it began its internal review.

After the screening process, the list has been pared to 638, according to officials at the company's headquarters in St. Louis.

Security measures at the Rand Corporation, where Dr. Ellsberg worked, have been the target of particular attention.

All secret documents at Rand's offices in Washington and Santa Monica, Calif., have been placed under the supervision of the Air Force. A company spokesman said that a reduction in the number of

Another major defense contractor, the Boeing Company of Seattle, said that its review was still in progress, but reported that at one Midwest facility employing 4,000 people the number holding top-secret clearances had already been reduced from 100 to 34.

Most of those who have lost their clearances were "people who at one time needed the top-secret clearances to perform their jobs, but who now for whatever reason no longer need it," according to Lowell P. Mickelwait, Boeing's vice president for industrial relations.

Won't Impair Ability

Mr. Mickelwait added that the reduction in the number of Boeing personnel cleared to work on top-secret projects would "absolutely" not impair his company's ability to bid successfully for defense contracts.

The reason, he said, is that the Defense Department permitted contractors to reinstate the top-secret classification any time within a year after downgrading "if a valid need arises." He said he believed that the ability to bid for a top-secret contract would be considered a "valid need."

Other major defense contractors indicated that they were making or had made similar reductions in the number of personnel with top-secret clearances, but were reluctant to quote exact figures for security reasons.

Ellsberg Is Commended

Special to The New York Times

COLUMBIA, S. C., Aug. 25—The Association for Education in Journalism today narrowly approved a resolution commending Dr. Ellsberg for a "valuable contribution to the people's right to know."

Dr. Ellsberg, who said he leaked the Pentagon papers to newspapers, has been arraigned on charges of unauthorized possession of secret Government documents.

In a related resolution, the association applauded "the courage and public service spirit of The New York Times and Washington Post and other newspapers for publishing the Pentagon papers."

STATINTL

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President Orders New Declassifications

Special to The New York Times

WASHINGTON, Aug. 12

President Nixon has ordered early declassification of secret Government documents on the Korean war, the 1958 intervention by American troops in Lebanon, the abortive invasion of Cuba in 1961 and the Cuban missile crisis of 1962, the White House announced today.

John D. Ehrlichman, assistant to the President for Domestic Affairs, said that Mr. Nixon felt that the four military actions were "of such historical importance" that scholars should not have to wait the customary 25 years before the bulk of the documents were made public.

Mr. Ehrlichman said that the decision to speed the removal of the "secret" classification from the documents had grown out of an interagency study of the Government's security system. The study was ordered in January by the President.

'Classifying Them Better'

In what he termed a "progress report" on the study, Mr. Ehrlichman said that it was aimed at devising a method for "classifying fewer documents in the future, but classifying them better."

The President feels strongly, Mr. Ehrlichman said, that "Government has a duty to make disclosure of what is going on in the Government." But he asserted that Mr. Nixon's attempt to initiate an "era of negotiation" between the United States and other world powers required that the Government be able to demonstrate its ability to maintain confidentiality.

For that reason, Mr. Ehrlichman said in response to questions at a White House briefing, the Administration sought to block publication of the Pentagon's secret history of the Vietnam war in June. Parts of the study were published by The New York Times, The Washington Post and other newspapers.

He said it was unquestionable that "probably the large majority" of the Pentagon papers were "needlessly" held under restriction at the time of their disclosure in the newspapers.

Effect on Negotiations

But, he went on, the "massive compromise" of the Vietnam documents by the newspapers "demonstrably has raised questions in the minds of those with



The New York Times

John D. Ehrlichman

whom we will be negotiating or have been in the past" as to whether the United States security system is effective.

Mr. Ehrlichman declined to relate the Administration's concern about the disclosure of the Pentagon papers to President Nixon's diplomatic initiative toward China.

The White House asked Congress last week to authorize a \$636,000 expenditure this year to begin a five-year process of declassifying some 160 million pages of documents on World War II that are still secret. The entire effort is expected to cost \$6-million.

Declassification of the documents on the Korean war and the Lebanon and Cuba actions would require additional funds, but the amount was not revealed today. This effort also will require a longer period of time and could take considerably more than five years, officials said.

Mr. Ehrlichman said that it also was possible that Government secrets related to other international incidents would be given the same accelerated declassification. The list is "open-ended as of now," he said, but he did not identify other possible subjects for early release.

Criteria Outlined

According to Mr. Ehrlichman, the study group, which is headed by William H. Rehnquist, an Assistant Attorney General, had tentatively established some criteria to follow. He mentioned the following requirements:

There should be new rules that individuals who have a specific security clearance, such as "top secret," would have access to documents only on a strict "need-to-know" basis.

New restrictions would be developed to curtail individuals' rights to duplicate classified matter or to disseminate it.

Secret documents should be released automatically after a specified period of time unless their publication would "jeopardize current intelligence sources," imperil relations with other governments or "needlessly embarrass individuals" in other nations.

As a general rule, the study group is tending toward reversing the established practice of keeping documents secret unless it can be demonstrated they are no longer sensitive, Mr. Ehrlichman said.

"The President believes past practice has resulted in classification of a number of documents that need not have been classified" for national security reasons, he added.

Restricted Circulation

At the same time, he emphasized that Mr. Nixon had followed a "set of principles" in his personal dealing with diplomatic and domestic issues that included highly restricted circulation of documents and extremely limited sharing of information with staff members.

The "cornerstone of an era of negotiations" is confidentiality, Mr. Ehrlichman stated. "You people do and should dig for every piece of information you can get," he told the journalists at the White House. But he said reporters could publish information "innocently" that might have a bearing on events that the journalists were not aware of and could thus "create a climate of doubt" about Government confidentiality.

Mr. Ehrlichman was asked if the Government's unsuccessful court actions to stop newspaper publication of the Pentagon study were undertaken to demonstrate to other nations the good faith of the Nixon Administration.

"Yes," he replied.

A Federal grand jury in Boston has been examining the disclosure of the Pentagon papers and considering whether some reporters might be liable to prosecution. Mr. Ehrlichman was asked if the Government had established, in light of his

comments about reporters "innocently" gathering news, whether the journalists who participated in the Pentagon disclosures were innocent.

He said he could not comment because the matter might be subject to litigation. The question was put by a representative of one of the newspapers involved, and Mr. Ehrlichman told him:

"Deep in the questioner's heart must lie the answer to that question."

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WHITE HOUSE ASKS WHO SEES SECRETS

Calls for Names of All Those With Authority to Handle Classified Documents

By JOHN HERBERS

Special to The New York Times

SAN CLEMENTE, Calif., July

7—The White House said today that it had ordered the compilation of a list of all persons who have authority to see top-secret documents.

Gerald L. Warren, assistant White House press secretary, said in response to questions that a confidential memorandum signed by Brig. Gen. Alexander M. Haig Jr., Deputy Assistant to the President for National Security, had gone to departments and agencies directing them to compile lists of those having top-secret clearance.

Mr. Warren said the memorandum, issued June 30, was part of a review of the process of classification and declassification ordered by President Nixon on Jan. 15.

He was vague about the details of the memorandum, whose existence was disclosed today in The Washington Post. But other officials said it was part of an Administration effort to reduce the number of security clearances both in and out of Government.

Pentagon Is Complying

In Washington, a spokesman said that the Department of Defense was compiling its list. The spokesman said Secretary of Defense Melvin R. Laird had ordered the step about three days ago.

The memorandum set this coming Sunday as a deadline for compilation of the lists, but it was considered doubtful that the departments could comply that quickly. Because of unclear regulations about security clearances, there was some doubt about the ability of the agencies to compile comprehensive lists at all.

There were indications that no one in the Government knows how many persons have security clearance and that Mr. Nixon is trying to put the entire disputed matter of classified documents under central control for the first time.

Various laws and regulations apply in departments and agencies dealing with sensitive matters. Estimates of the number of those with some authority to see top-secret documents run as high as many thousands.

Members of the armed forces, the Central Intelligence Agency, the White House, the State Department, the Justice Department, defense contractors and consultants are heavily involved in security matters.

About the time the White House memorandum was drafted, Mr. Laird ordered tightened security at the Rand Corporation in Santa Monica, Calif., which conducts defense research on a contract basis.

Daniel Ellsberg, a former Rand employee and Pentagon official, is under indictment for alleged misuse of top-secret documents and has said publicly he passed copies of a study of the Vietnam war to newspapers.

Documents published by The New York Times and other papers carried top-secret classification.

Seeks 'Immediate Reductions'

The Haig memorandum says in part that "each responsible department and agency" must initiate at once "a review and screening of each top-secret and compartmented clearance presently held by individuals with a view to effecting immediate reductions of all clearances which cannot be demonstrated to meet the requirement of strict need to know."

Mr. Nixon arrived at the summer White House here last night for a two-week stay, accompanied by Secretary of State William P. Rogers; the director of Central Intelligence, Richard Helms; General Haig and other officials. He conferred at length with Mr. Helms about the latter's recent trip to the Middle East.

The Pentagon spokesman, Brig. Gen. Daniel James Jr., said that as of April, 1971 803 in the defense establishment had authority to classify material as top secret. But the department was unable to say how many had access to top-secret material.

The list of 803 began with the Secretary of Defense and went through 12 categories of descending rank.

The last category was: "commanders and deputy or vice commanders and chiefs of staff of major field and fleet commands, forces or activities, as designated by the chiefs of the military services or the commanders of the unified and specified commands concerned."

On Capitol Hill, William B. Macomber Jr., deputy Under Secretary of State for Administration, told a House Government Operations subcommittee that the State Department now classified as secret 200,000 documents a year. He said the average over the last 20 years had been about 100,000 a year.

Mr. Macomber conceded, under questioning, that too many documents were classified, and remained classified for excessive periods.

Asked if the State Department had requested that the Justice Department seek injunctions against The New York Times and other newspapers to halt publication of the Pentagon study, Mr. Macomber said it had not. But said that the State Department concurred with the Justice Department because of "deep concern" over disclosure of some of the material.

Asked if a substantial portion of the Pentagon study could be declassified without harming national security, he replied: "Some of it."

He said that only about 10 to 15 per cent of the material in the 47-volume study should remain classified on the ground of national security.

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STATINTL

Secrecy On Laos Being Lifted

By WILLIAM K. WYANT JR.

A Washington Correspondent
of the Post-Dispatch

WASHINGTON, Aug. 7

MANY AMERICANS do not know where Laos is, much less that the United States is spending close to \$500,000,000 annually in support of the clandestine war there. Like a dentist digging at a wisdom tooth, Senator Stuart Symington (Dem.), Missouri, has been trying to bring the facts to light.

The cat was pretty well out of the bag this week—not fully, but the head and shoulders at least—with the publication of two documents in which the Executive Branch allowed mention of the Central Intelligence Agency's heavy involvement in Laos.

One of the documents was a 23-page report prepared for Symington's foreign relations subcommittee on United States security agreements and commitments abroad. It was prepared by two staff members, James G. Lowenstein and Richard M. Moose. A "sanitized" version of it was made public Tuesday.

The other document was the expurgated, declassified transcript of the Senate's closed session of June 7, a session that had been requested by Symington to discuss Laos and make the then top-secret Lowenstein-Moose report available to other Senators. It was published Wednesday in the Congressional record.

Lowenstein and Moose visited Laos from April 21 to May 4, in the aftermath of last spring's drive into Laos by United States-supported South Vietnamese troops. The two presented their report, classified top secret, to Symington's panel May 21.

BEFORE THE REPORT was made public this week, it was reviewed in detail with representatives of departments of State and Defense and the CIA. This procedure took five weeks. Many deletions were made for security reasons, but the CIA permitted itself to be mentioned. The CIA's role—long reported—now is official.

Late in 1959 Symington's subcommittee held hearings on Laos as part of a comprehensive inquiry on American commitments abroad. A heavily censored report of the hearings was made public in April 1970. One can scrutinize its 696 pages without finding mention of the CIA.

In contrast, the Lowenstein-Moose report released this week puts the CIA firmly in the picture, as in the sentence: "The United States continues to train, arm, and feed the Lao army and air force and to train, advise, pay, support and, to a great extent, organize the irregular military forces under the direction of the CIA."

IN ASSESSING the new report on Laos, it is necessary to differentiate between what it contained that was news to the Senate and Congress generally and what it contained that was news to the American public. Members of Congress are often privy to information that is classified and not available to the citizenry.

As Symington acted in a statement Tuesday, there were several areas in which the subcommittee and its staff report squeezed information from the Executive Branch that previously had been kept secret.

(1) Since early 1970, the United States has been conducting B-52 raids in northern Laos on a regular basis. This was disclosed to Congress May 3 while the staff men were in Laos. President Richard M. Nixon admitted in March 1970 that the United States was flying tactical missions in northern Laos.

It is easy to relate American air activity against the Ho Chi Minh Trail in southern Laos to the war in Vietnam, because the trail is an enemy supply route to South Vietnam. In the case of the war in northern Laos, the relationship to Vietnam is less obvious.

(2) The American-supported irregular forces in Laos, about 30,000 Laotian troops and about 4000 Thais, are deployed generally throughout the country's military regions, except around the capital, Vientiane. It had been thought that the irregular forces were concentrated in Military Region II under Gen. Vang Pao.

(3) United States operations in Laos are costing much more than had been supposed. Symington said the only official expenditure publicly announced previously for Laos for fiscal 1971, just ended, was about \$50,000,000 in economic assistance. He said the actual outlay for 1971, exclusive of bombing costs, was about \$350,000,000.

In addition the report by Lowenstein and Moose indicated an over-all intensity of American involvement in Laos that undoubtedly came as a surprise to many in Congress and to citizens at large, even the sophisticated.

The figures that were made public did not include specific outlays by the CIA. Those figures were deleted. It could be deduced, however, that the CIA spent \$100,000,000 to \$120,000,000 in 1971 for support of the irregulars, including the recruits from Thailand.

IN ADDITION to training, paying and otherwise supporting the CIA's irregulars, the United States trains, arms and feeds the Royal Laotian Army and Air Force. It was made clear that the government of Laos had about exhausted its manpower from internal sources—hence, the troops from Thailand.

The irregular forces in Laos are doing most of the fighting against enemy Pathet Lao and North Vietnamese units. From 1968 through last April, 4820 irregulars were killed in action and 3664 royal army troops.

A private in the royal army receives the equivalent of \$5 a month, in addition to allowances for dependents. Lowenstein and Moose were told that the Laotian government was having difficulty finding soldiers. About 30 per cent of new recruits reportedly desert.

The population of Laos, an impoverished agricultural country west of Vietnam and south of China, is only 2,890,000. Nearly two thirds of Laos is not under government control. The military situation has steadily worsened.

The income of the approximately 2,000,000 Laos under government control averages \$66 a year, based on the country's gross national product. A partial total of United States outlays for Laos in 1971, it was said, would amount to \$141 for each Laotian.

A BONE of contention between Mr. Nixon's Administration and some members of Congress is whether the United States Government, in its support for the Thai irregulars, violated a law enacted by Congress last year. The Government says it has not.

At the behest of Senator J. William Fulbright (Dem.), Arkansas, an amendment was put into the defense authorization bill barring the use of funds "to support Vietnamese or other free-world forces in actions designed to provide military support and assistance to the governments of Cambodia or Laos."

If defense funds were spent to support the troops from Thailand in Laos, the contravention of Congress's will would be fairly obvious. What about CIA funds? The State Department has taken the position that the Thai irregulars sent into Laos by the United States are "local

STATINTL

U.S. Acts To Stiffen Security

Will Trim List Of Clearances For Top Secret

By Ken W. Clawson
Washington Post Staff Writer

President Nixon has ordered all government agencies to compile lists of persons, in and out of government, who have top-secret clearances with the aim of sharply reducing the number of security clearances.

In a memo labeled "administratively confidential," the White House also ordered federal agencies to immediately initiate a review of outside individuals and organizations holding classified materials "... with the aim of drastically reducing such nongovernment holdings."

The memo, signed by Brig. Gen. Alexander M. Haig Jr., Deputy Assistant to the President for National Security Affairs, said that "the President has directed that the following actions be taken ...:

By noon Saturday, each federal agency, including the White House itself, must submit a list of the number of government employees, outside consultants and private contractors who hold clearances for access to top-secret information and "the various categories of compartmented intelligence data."

By the end of July, the federal agencies are ordered to turn over to the White House the names of the holders of secret clearances broken down to indicate government and nongovernment employment.

"It is further directed that each responsible department and agency initiate at once a review and screening of each top-secret and compartmented clearance presently held by individuals in the above employment categories with a view to effecting immediate reductions of all clearances which cannot be demonstrated to meet the requirement of strict need to know.

"Particular consideration is to be given to the screening of employees in the consultant and contracted categories," the Haig memo said.

The memo, written on White House stationery, was dated June 30, two days before Defense Secretary Melvin R. Laird ordered Air Force security men to take custody of all classified documents held by the Rand Corp., the leading private "think tank" engaged in defense research. Laird alleged earlier that there were "security compromises" at Rand.

Laird's direct action and President Nixon pledge to tighten up security clearances across the board followed disclosures June 28 by Daniel Ellsberg, a former Rand researcher and Pentagon official, that it was he who leaked secret Pentagon papers to the press.

The White House memo made it clear that Mr. Nixon means to get a handle on security clearances, estimated variously at between thousands and hundreds of thousands, and to pare the list considerably. The top-secret clearances are awarded by individual government agencies and branches and there currently is no central repository in the government.

A cheek yesterday of key government agencies where top secret clearances are most prevalent also revealed that the agencies themselves do not know who—or how many—hold top security clearances.

The Pentagon, for example, said the figures are "not readily available" nor are the identifications of those holding clearances compiled.

Officials at the State Department said they don't have the information sought by the President and said they would be surprised if it could be compiled by noon Saturday, the presidential deadline.

One official said he believed about 10,000 Foreign Service Officers have top secret clearance as did, presumably, technical specialists. But he said the State Department has many outside consultants who are called on only rarely who presumably also have top secret clearances.

All agents of the Federal Bureau of Investigation have top secret clearances by virtue of their jobs, although the need-to-know application actually limits the number of persons who see classified documents.

It is understood that other federal intelligence agents also must pass a top secret security investigation as a precondition to employment.

The Justice Department, which is prosecuting Ellsberg for a security breach, also could not indicate yesterday the number or the names of its personnel who are cleared for top secret documents. A spokesman said that a "wild guess" would place the figure at a "few hundred."

A White House official said a similar survey was being "didn't have any idea" how taken in the Executive Office of the President, but that he many top secret clearances were held there.

Directives in the new Nixon memo appeared to grow directly out of disclosures from the secret Pentagon papers and were not related to a Jan. 15 memo in which the President called for broader and speedier declassification procedures and for a continuing review of that process.

The January directive was also confidential, but it was made public by the White House June 22, at the height of government efforts to stop publication of the top-secret Pentagon papers.

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RAND SAFEGUARDS CALLED STRICTER THAN PENTAGON'S

BY GEORGE REASONS

Times Staff Writer

Daniel Ellsberg who says he leaked the top secret Pentagon papers to the press would have found access to them easier at the Pentagon than at Rand Corp., a former Rand scientist said Friday.

"Rand security is tighter than security at the Pentagon," Dr. Bernard Brodie said. "And you can quote me."

Brodie, who worked at the Santa Monica "think tank" for 15 years and also on national security projects at the Pentagon, accused Secretary of Defense Melvin R. Laird of unjustly "punishing" Rand by taking security custody of all secret documents away from the agency.

Laird said Rand security was "lax" and could not be tolerated.

His action came in the wake of the scandal surrounding the Pentagon papers. Rand had custody of two sets while Ellsberg was employed there in 1969.

The two Rand sets were recalled after Ellsberg disclosed that it was he who leaked them.

Brodie said Laird's action in clamping a security lid on Rand was "unreasonable and petty, a grandstand play."

"Laird is acting sore, that's all."

He said Laird should look to his own organization for comparison.

"Anyone can go in the Pentagon and walk around without being challenged except in a few sections such as the offices of the Joint Chiefs of Staff," said Brodie, a UCLA political science professor who still serves as consultant to Rand.

"Every Pentagon office has classified material in it," he said. "It's handled carefully but anyone can go in."

Another Agrees

Another former Rand researcher, who declined to be identified, backed Brodie's remarks about comparative security based on 10 years of association both with the Pentagon and Rand.

"I have been in and out of the Pentagon and other defense agencies and found you can walk up to the very office of Laird without anybody checking you out," he said.

"The only one who stops you is his female secretary in the outer office. There are classified documents in every room—and the safes are open," he said.

"The only rule is that someone must be present in the room if the safe is open, but it can be only the female secretary."

He said security at the State Department was about as lax.

"There is an entrance for diplomats who can enter without an appointment and another working entrance at which visitors must have an appointment which is verified by the receptionist."

"She issues a pass which is surrendered to the guard when you enter and then the visitor is on his own to wander around. No one knows whether he works there or not."

At Rand, the controls are much tighter, the two former researchers said. They outlined the system this way:

There are guards on all three doors. The arrival and departure of employees, who must show their pass, is recorded on a tape recorder.

Visitors must have an appointment to be admitted. Their arrival is recorded on a log on which is noted their names, whom they are calling on, whom they represent, whether they are American citizens and whether they will be discussing classified information.

Waits for Escort

After verifying that he has an appointment, the guard issues the visitor a red badge bearing his name and holds him at the entrance until an escort arrives. He can take his briefcase but must leave camera and tape recorder behind.

No outsider without an escort is permitted in the sensitive areas where clas-

sified documents are being used. He goes literally nowhere alone.

If a visitor goes to the restroom, his escort stands outside the door.

Even new employees whose security clearances have not yet been approved are confined to a so-called "clear area" out of reach of classified information. The clear area is on the first floor near the main entrance.

If the visitor is going to discuss classified information, a clearance authorizing it must have been submitted and approved beforehand.

If he is not cleared, his host must take all classi-

fied documents in his possession and place them in his special safe and lock it.

Those procedures are required even though visitors frequently are officials from such agencies as the Central Intelligence Agency, Air Force or State Department and hold top secret security clearances.

If the visitor leaves Rand for lunch, he surrenders his badge at the door and his departure is noted in the log. When he returns, he must pin the badge back on.

To check out a top secret document, a Rand staff member must have the appropriate security clearance and must justify his request at the top secret control room by supplying the number of the project on which he is working which attests to his "need to know."

He cannot check out top secret documents unrelated to his project. He must sign for his document on and IBM card which records the document's location.

He is responsible for the document until he returns it to the control room.

Researchers must follow strict procedures to safeguard documents in their possession. Guards periodically patrol the offices, note infractions and re-

Too many violations and the offender is fired or demoted to work not involving classified information.

No one can leave this office unless all top secret documents are locked in his safe.

Those whose offices are on the first floor with windows facing the street are forbidden from leaving the room with classified information on their desks. Neither can they leave their safes open.

A top secret document cannot leave the office of the man who checked it out. He cannot give it to a colleague until he establishes that he has the proper security clearance and

fills out a transfer form noting if changed hands.

A copy of the form goes to the control room.

Except for a dozen researchers who are working on crash studies, top secret documents must be returned to the control room at night.

Those who retain possession keep the documents in a special tamper-proof file "safe" with a combination lock. Less sensitive documents may be kept by any researcher in his locked file cabinet.

Only the researcher and one other person knows the combination. It must be memorized. To write it down is a security violation.

The combination is changed every year.

Pentagon Safes

(According to Brodie, there are safes all over the Pentagon in which top secret documents are kept. He said there is no requirement for top secret documents to be returned to the control room at the end of the day.)

Every six months at Rand, the top secret control room makes a periodic check of outstanding documents to verify their location.

Removal of classified material from the premises is forbidden but Brodie admitted guards do not check the brief cases of researchers when they leave.

Classified:

You Can't Tell the 'Secrets' Without a Program

WASHINGTON—To readers of spy novels, the words "Top Secret" conjure up a number of visions: of windowless rooms far beneath the Pentagon where bespectacled men spend days and nights under heavy guard reading coded messages; of armed couriers and impenetrable vaults where reams of sensitive documents are forever shielded from the eyes of all but a very few.

Recent events seem to show that this picture, like most popular concepts of how the Government operates, is at least partly myth. It came as a surprise to many, for example, that until last week no fewer than four copies of the Pentagon's secret study of the Vietnam war were stored beyond the Government's immediate grasp. (One is in a safe in the Washington law offices of former Defense Secretary Clark M. Clifford. Two have been recalled from the Rand Corporation, a private research institute, and another is in the basement of the L.B.J. Library on the University of Texas campus, in Austin.)

The Government says it keeps close tabs on the top secret material outside its purview (although it admitted that it had temporarily lost track of some of its own copies of the Pentagon report).

Everyone who has access to classified material, whether inside or outside the Government, must have received an appropriate security clearance.

The clearances are not handed out like nickel cigars at a county fair. Restricted documents are classified either Top Secret, Secret or Confidential, and an individual whose job involves a "need to know" only "Confidential" material does not receive a higher clearance.

When someone with a security clearance, whether a Government or private employee, retires or resigns, he is "debriefed"—reminded of whatever sensitive information he has had access to, then told to forget it.

The documents themselves are supposed to go through a painfully slow declassification procedure. Executive Order 10501, issued in 1953, instructs all Government agencies to downgrade classified information automatically every three years. Thus, a report marked Top Secret in 1959 should have been downgraded to Secret in 1962 and to Confidential in 1965. By 1971—12 years later—it should have then been declassified and made available to anyone who wants to see it.

But there are a number of exceptions and exemptions to this rule that senior Government officials may and do arbitrarily use to keep information out of

the public domain for as long as they think necessary. Some secret materials dating from World War II have not yet been declassified.

This is the way it is all supposed to work, but theory and practice in Washington often differ. There are hundreds of examples of secret information going astray, whether by clumsiness or design, dating back to the infamous 1941 "leak" of the "Rainbow Papers"—this country's secret war plans for Germany, Japan and Italy—to The Chicago Tribune.

"Without the use of secrets," wrote Max Frankel, The Times's Washington correspondent, in a court affidavit last week, "there could be no adequate diplomatic, military and political reporting of the kind our people take for granted." Moreover, he said, "Presidents make 'secret' decisions only to reveal them for the purposes of frightening an adversary nation, wooing a friendly electorate [or] protecting their reputations."

Government officials who participate in the "informal but customary traffic in secret information" that Mr. Frankel described as an everyday element of Washington journalism normally don't run afoul of the espionage laws, which stipulate that the Government must prove an individual's intent to "injure" the interests of the United States before he can be found guilty.

—JOHN CREWDSON

STATINTL

OTEPKA'S ORDEAL

Recently the Senate Judiciary Committee held public hearings on the nomination of Otto Otepka for reappointment to be member of the Subversive Activities Control Board—a nomination which President Nixon had sent to the Senate in early March. The President had previously sent the nomination of Mr. Otepka to the Senate last fall during the 91st Congress which had neglected to do anything about it, although the nominee has served on the board, filling an unexpired term.

The most eloquent spokesmen of the most powerful left-wing organizations ganged up as witnesses to present a united front in a scurrilous assault against the courageous patriot, Otto Otepka, who has been under continuous Leftist fire for ten long years! Another chapter can now be added to the revealing book, *The Ordeal of Otto Otepka*, by William J. Gill. Historically, the Otepka Case ranks with the famed Dreyfus Case of France.

Actually Mr. Otepka's troubles began in late 1960—immediately after the Presidential election, when he was Chief Security Evaluator of the State Department. In December, 1960, Attorney General-designate Robert F. Kennedy and Secretary of State-designate Dean Rusk personally asked Otepka to grant security waivers for the appointments of Walt W. Rostow and Archibald MacLeish to high posts in the State Department.

Mr. Otepka explained that before Dr. Rostow could be appointed to a highly sensitive position in the State Department that the Department had to comply with the provisions of an Executive Order requiring a current preappointment investigation for such a position because a prior investigation of Rostow was incomplete. He stated he would make no evaluation of Rostow's security reliability except on the basis of a current FBI investigation. (Rostow had been previously rejected for appointments in the CIA and the Pentagon because investigations disclosed that he was a security risk). Otepka stated that he had no authority to make an exception for Dr. MacLeish, who refused to fill out government security forms in connection with his proposed appointment. His appointment was rejected by the State Department Personnel Office for failure to comply with personnel regulations. Bobby Kennedy flew into a rage and berated Mr. Otepka.

The foregoing is a concise, factual account of what actually happened in the famous "confrontation" between Bobby Kennedy and Mr. Otepka, but it is not the story told by Leftists and the Bobby Kennedy gang of hucksters—they claim that Otepka was "biased" or "prejudiced" or worse! All Washington knows that Bobby Kennedy was a very vindictive man and the name of Otepka was placed high on his personal "Hate List."

As soon as the Kennedy team took office, security clearance was waived, and Walt W. Rostow was appointed Deputy Special Assistant to the President for National Security Affairs directly under McGeorge Bundy, and later succeeded him as the top security officer of the U.S. Government. His successor is now Henry Kissinger, who, ironically, was granted a "90-day" waiver on his own security clearance—he was allowed to become entrenched for three months in his important White House job before the FBI could start checking up on his background. Knowing the fate of Otepka no one in the Federal government had the moral courage to turn in an adverse report on Kissinger.

As soon as Dean Rusk took his oath of office as Secretary of State, Bobby Kennedy henchmen seized control of the security setup at State. The Kennedy hatchetmen launched a campaign of harassment against Otepka; State Department employees who knew him were terrorized in an effort to make them bring incriminating charges against him. The hatchetmen did not just want to abolish his job or transfer him or fire him—they wanted to frame him on trumped-up charges pursuant to the whims of the vengeful Bobby and his Leftist cohorts. Otepka was a menace that must be destroyed. But Otepka turned out to be an astute fellow who did not yield under pressure and resign, as a lesser man would have done.

Finally, in desperation, in November, 1963, Secretary Rusk dismissed Mr. Otepka from his position as chief of the evaluations section of the security office. He was charged with disclosing classified information while testifying before the Senate Internal Security Subcommittee. Actually, Otepka's superiors had instructed him to truthfully respond to all questions asked him during the Senate inquiry.

Later, two Kennedy hatchetmen assigned to "get" Otepka confessed under oath before the Senate Internal Security Subcommittee that they

STATINTL

What do you know about

YOUR CREDIT SHADOW?

Edwin Black, a free-lance writer, spent three months investigating the credit bureau industry in Chicago. This is the first of his two-part series.

By Edwin Black

JOSEPH CURRY—Chicago salesman with a wife and child, two-bedroom home, one car, a dog and a color TV—decided it was time to move up to a better paying job. So Joe applied to a new company, was interviewed and hired. Wonderful, right?

Wonderful, wrong. Because now, Joe is working day after day with a boss who knows how long it takes him to pay bills, and what bills he didn't pay last month, from whom and how often he borrows money, whom his close friends are, what his neighbors think of him—and worst of all, that he was sued by his former wife five years ago for nonpayment of alimony.

Shocking? Not to the boss, who checks into the personal life of possible employees every day. It's routine, and as easy as picking up the phone and dialing the number of the credit bureau.

Every transaction you make, cash or credit, is a possible entry into your own credit history. Since you reached 21, your life has been capsulized on computer tape and index cards and filed with the credit bureau.

And that information is available, not only to employers and creditors, but to detective agencies, the federal government, and even your next door neighbors. It amounts to a giant credit shadow, lurking behind you every step of the way.

Credit defined is simply trust, from the Latin word *credo*, which means "I believe." A retail store or mail-order house will trust you with merchandise or services on your promise to pay. Without this magical American phenomenon, large department stores would lose 60 per cent of their business, chain stores 40 per cent, and the economy in general would shrivel.

Credit sales are so important that

J. C. Penney didn't mind spending over \$20 million last year to support its charge and revolving charge accounts department.

To minimize the high risk of granting credit, an entire industry has been created—the credit bureau industry. In Chicago, creditors utilize three major consumer credit reporting bureaus—Credit Bureau of Cook County, Chicago Credit Bureau and TRW Credit Data.

Credit Bureau of Cook County, largest in the world, stockpiles information on five million Chicago-area individuals. Each file contains an address and employment history, a complete list of existing credit accounts or purchases, the length of time it took to pay the bills, any existing unpaid bills, any financial lawsuits including full docket details, any liens, any bank accounts, any loans, any inquiries from any other creditors and anything else of surface interest to any business concern contemplating extending any credit of any size, on any terms.

Altho most of this data is now stored manually in long rows of metal files, C. B. C. C. by July 1, will convert totally to CHRONUS, a gigantic computer system that retrieves complete files in less than a second. For under \$2, this information is available to any registered C. B. C. C. subscriber.

Who can subscribe? Retail establishments, oil companies, airlines, banks, loan companies, detective agencies, government agencies, private social clubs, doctors, dentists, lawyers—any legitimate businessman or company. The subscriber merely phones in his identification code and the facts are immediately found and read over the phone. For an additional charge, a typed copy will be mailed. No purpose need be given. It's that simple and happens thousands of times each day from 200 subscribers throughout the city and even

To illustrate how accessible these confidential reports are, I obtained a full report on a business friend thru five different bureaus. C. B. C. C. released the information to a doctor friend of mine registered with the bureau. TRW Credit Data released the information to a clerk working in a small clothing shop. Chicago Credit Bureau blindly co-operated with a used car salesman. And two other minor bureaus co-operated with me after I first pretended to verify the code number of a large department store, and then called again using that code number.

TRW Credit Data is a national service that stores all its records in an expansive computer complex in California. TRW has information on four million Chicago area residents along with millions of individuals in other cities, but limits its reports strictly to consumer credit reports [no character reports]. It maintains a unique "protest code" to indicate whether a consumer disputes an unpaid bill and will not deliver information to any seekers except those who grant credit. This at least excludes detective agencies and kindred snoops.

Chicago Credit Bureau, the city's first credit bureau, is as yet uncomputerized. It follows a credit check philosophy similar to TRW's, but offers an extra service to its hundreds of Chicagoand clients: confidential character reports which are written evaluations of a consumer's "personal history, character, integrity, credit record and health," to quote the current pamphlet. These confidential reports are available to subscribers for \$5 each and to nonsubscribers [inquirers with only an occasional need] for \$10 each.

While Chicago Credit Bureau limits these profiles to its credit extending clients, other bureaus offer much more detailed reports to almost anyone. For \$15, Credit Bureau of Cook County sells what they call a "P-code" report ["P" investigations that include past associa-

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8 STATINTL

Privacy Hearings Are Conducted

By NED YOUNG
Civil Service Editor

The man who could rightly be called the champion of the privacy of the federal employe, Sen. Sam J. Ervin Jr. (D., N.C.), headed a group of testifiers before the Employee Benefits Subcommittee of the House Post Office and Civil Service Committee.



YOUNG

Senator Ervin talked extemporaneously for a while before giving his prepared testimony on behalf of bills introduced for the purpose of protecting the federal worker's privacy.

His remarks, however, did not receive unanimous approval from the entire Subcommittee.

His main critics were Rep. Lawrence J. Hogan (R., Md.) and Rep. Richard C. White (D., Tex.).

The bills involved, including Ervin's S. 1438, forbid federal agencies from inquiring of employees or job applicants as to ethnical background, religion, family life or his or her sex habits.

Excluded from the proposed ban are the Federal Bureau of Investigation, the Central Intelligence Agency and the National Security Agency.

HOWEVER, Hogan cited as an example, the Bureau of Prisons. It would be essential, he declared, for Bureau officials to know if a male applicant for the job of guard were a homosexual, and if a female applicant were a lesbian.

Other agencies, said the Maryland Congressman, should also have the right to acquire certain personal information about some employees and applicants for certain jobs.

White agreed with Hogan and added that the should have in his bill prescribed questions that could not be asked of job applicants, rather than "blanket prohibitions."

In questioning Ervin, White elicited the fact that, in complying with the senator's bill, certain questions could not be asked of an applicant, but the same questions could be asked of his neighbor.

"I THINK it much better to ask the person directly than to ask his neighbor," said White.

Others who testified and who have introduced privacy bills were Rep. Charles H. Wilson, D-Calif., a member of the Subcommittee, and Rep. Spark M. Matsunaga, D-Hawaii, a former member of the House POCS Committee and now

a member of the House Rules Committee.

Wilson, whose bills is H.R. 7199, declared such legislation is needed and will no doubt come about, regardless of the political hue of any Administration and bipartisan support has already been given more than once.

Wilson also stated that, as chairman of the House Subcommittee on Census and Statistics, he is quite familiar with the procedures used by the government to obtain information.

HOWEVER, he noted that the Census and Statistics Subcommittee had previously developed legislation H.R. 12834, which, he said, strengthens the census law, but nevertheless guarantees the rights and privacies of citizens.

"We proved that it is possible to protect the rights of our citizens without tying the hands of our government officials so they can't carry on their responsibilities," he declared.

On questioning Wilson, White noted that the safeguards provided in the Wilson Bill for employees and applicants concerned agencies of the Executive Department, but not the Legislative—Congress.

WILSON replied he had no objection to Congress being included.

However, Senator Ervin, whose testimony followed that of Wilson, said it was his feeling that a Member of Congress should be allowed a certain amount of political activity by his staff members.

Also, said Ervin, a Member of Congress should have the right, for political reasons, to consider the ethnical and religious backgrounds and the sex habits of those applying to become members of his staff.

Therefore, he added, the Legislative Branch was excluded in his bill.

REP. MATSUNAGA spoke on

behalf of his bill, H.R. 228, which, he said, would prohibit the following requirements of employees and applicants, particularly in the Executive Branch:

- Disclose their race, religion or national origin.

- Attend government sponsored meetings and lectures, or participate in "outside activities unrelated to their employment.

- Report on their outside activities or undertakings unrelated to their work.

- Submit to questionings about beliefs, or family relationships or sexual attitudes, through interviews, psychological tests or polygraphs.

- Support political candidates or attend political meetings.

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STATINTL

The Washington Merry-Go-Round

CIA Plotted to Blast Cuba Refinery

By Jack Anderson

The full, fantastic story of the Bay of Pigs has been buried for 10 years deep in the Central Intelligence Agency's fortresslike headquarters near Langley, Va.

All the world knows that CIA-trained Cuban exiles stormed ashore on a Cuban beachhead and were cut to pieces by Dictator Fidel Castro's militia men 10 years ago today. But the CIA has concealed from the world how it continued to send assassination teams and commando squads against Castro.

Bit by bit, stories of these post-invasion sorties are leaking out. We have already revealed, for example, how the CIA used a swashbuckling underworld figure, John Roselli, to make six unsuccessful assassination attempts upon Castro.

The CIA assigned two trusted agents, Billy Harvey and "Big Jim" O'Connell, to direct the murder missions. On the first two tries, Roselli's assassins sought to slip poison pellets into Castro's food. The next four attempts were made by sniper teams equipped with high-powered Belgian rifles, explosives and two-way radios.

There were midnight power-boat dashes to secret landing spots on the Cuban coast and machine-gun exchanges in the dark of night with Cuban patrol boats. The last assas-

sination team actually reached a Havana rooftop within rifle range of Castro. But like the others, this squad also was caught and tortured.

Refinery Raid

Now we have learned of a CIA plot to blow up Cuba's most productive oil refinery. Pains-taking preparations were made, and a commando team was given intensive training.

Using U-2 photos so detailed that they showed every bush, Maj. Edward Roderick, an Army engineer on loan to the CIA, constructed a blueprint of the plant. He even figured out how mortars could be pre-aimed, then placed by commandos in a precise spot and fired on the run.

But he junked the idea because a human error of an inch or two could send a mortar shell into an inhabited area. Then the whole plan was junked after President Kennedy's assassination.

We have also learned that the CIA scattered \$20 bills around like green confetti to finance the clandestine anti-Castro operations. Bales of money were delivered to Cuban exile leaders, who gave no accounting of how they spent it.

Some were stashed by men since killed. Other thousands were buried in former pirate lairs in the Florida Keys. Still more thousands were strewn on the beaches of Cuba where would-be raiders left their bones.

Yet some of the raiders survived. One of them, a young ex-Army captain named Bradley Ayers, has emerged from under cover. He has given us access to his notes, documents and draft chapters of a book he is writing about his raids for the CIA.

"The Cuban experience," he told us, "has been a plague on the national conscience as it has been on mine. I think it's high time that at least part of the story be told."

CIA Assignment

A former paratrooper, pilot and demolitions expert, Captain Ayers was training rang-ers at Eglin Air Force Base, Fla., when he received orders to report to the Army's Special Activities Group in Washington.

He was put through physical, psychiatric and lie detector examinations for a week, then he was hustled over to the CIA's Cuban section.

He was questioned for three days by CIA officials who, finally satisfied, provided him with a cover story, phony documents and a ticket to Miami. He adopted the name Daniel B. Williams and was assigned to a CIA front called Paragon Air Service.

The CIA lodged Ayers and Roderick in a luxurious beach house in Key Biscayne. The two undercover Army men worked out of a CIA front—a columned building with the cover name of Zenith Technical Enterprises—on the south-

campus of Miami University.

Through its doors passed some of the nation's most secret operatives: the dapper John Roselli, ragged Bill Harvey, "Rip" Robertson and a huge New Mexican remembered only as "The Big Indian."

Ayers got the assignment of training a tough Cuban cadre in the swamps of the Everglades and the beaches of the Keys. He was supposed to teach them enough surf landing, underwater swimming, demolition, boat handling and simple survival for them to lead commandos into Cuba to blow up the multi-million-dollar refinery.

The story of their night landings in Cuba and the great oil refinery fizzle will be told in a future column.

STATINTL

LEAKY SECURITY

Pentagon intelligence officials are still unable to find the leak about the ill-fated operation to rescue American prisoners of war held in Sontay, but the finger of suspicion points toward the White House staff of Henry A. Kissinger, Nixon's top security staff.

Kissinger's constantly rotating 40-member staff of "specialists" is recruited from other Federal agencies, Ivy League colleges and from the Council on Foreign Relations. Many of the Kissinger staffers receive three to six months indoctrination and are then planted in strategic spots in highly sensitive Federal agencies. Thus Kissinger is building a bureaucratic empire of "loyalists" instantly responsive to his clandestine orders without going through normal official channels.

Due to the conspiratorial nature of the Kissinger network the Pentagon may never solve the mystery of who tipped off the Communists in advance about U.S. plans to try to rescue American prisoners of war. Significantly, the North Vietnamese warning broadcast was made shortly after Defense Secretary Melvin Laird authorized the establishment of a special prisoner rescue unit.

The POWs held in Sontay were evacuated from there about a week after the site was picked by Laird as the target for the first U.S. rescue attempt. The accurate enemy timing has convinced American intelligence officials that there had to be a leak in U.S. plans. Only the exact timing of the commando raid was not known by the North Vietnamese. This information probably did not leak out since the exact day and hour of the raid was not set until just before the rescue effort was launched. A North Vietnamese special defense unit that was located near Sontay attempted to reach the prison camp to trap the raiding party but was stopped by accurate U.S. fire. After the abortive raid, American military intelligence has ascertained that the American POWs at Sontay were removed to a prisoner-of-war camp inside Hanoi, which is the largest of six other camps known to be used to hold American POWs.

After the Sontay debacle, the White House made a preposterous effort to make it appear that the U.S. commando raid was "successful" on the rationale that it was accurately planned and executed.

The miracle is that the U.S. commando team got back alive. Intensive security measures were

taken by the White House to prevent a leak to the news media that there was a leak to the enemy about the Sontay raid. Syndicated columnist Paul Scott was the first to expose the Sontay leak. Scott secured tacit official confirmation from the Pentagon.

The Sontay commando raid breach of security is not the only leak of highly secret U.S. operational plans in the Nixon Administration. When the U.S. sent troops into North Vietnamese sanctuaries in Cambodia, Communist intelligence was tipped off three days before the offensive was launched. Captured North Vietnamese prisoners reported that Hanoi was warned of the U.S. attack. The advance information permitted the North Vietnamese commanders to withdraw most of their military forces beyond the 21-mile limit set by President Nixon as the deepest penetration area for U.S. forces.

NOTE: About half of Kissinger's staff members and Kissinger himself have received security waivers, i.e. many of the staffers are exempted from full-field investigation and security clearance for appointment to the White House top-most secret security staff. Furthermore, an inter-departmental security committee of representatives of the State Dept., National Security Agency, Central Intelligence Agency and Pentagon had advance information on the plans for the Sontay raid and the Cambodian invasion.